SKETCHES,

LEGAL AND POLITICAL,

BY

THE LATE RIGHT HONOURABLE

RICHARD LALOR SHEIL.

EDITED, WITH NOTES,

BY M. W. SAVAGE, ESQ.

IN TWO VOLUMES.

VOL. I.

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PREFACE BY THE EDITOR.

THESE volumes consist of the principal contributions of the late Mr. SHEIL to the "New Monthly Magazine," at a period when that periodical, edited by THOMAS CAMPBELL, was particularly distinguished by the interest and brilliancy of its articles. The Sketches of the Celebrities of the Irish Bar attracted much attention at the time, and were admired, wherever they were read, as well for their fidelity as portraitures, as for the spirit and elegance with which they were written.

The intrinsic merit of the Papers would have been sufficient of itself to justify the republication of a careful selection from them; but the press of New York having recently issued a promiscuous collection of them, the proprietor of the copyright felt that it was a matter of duty not only to himself, but to the Authors of the

Papers, to present them to the public in a correct and authentic form.

The project of the Sketches did not originate with Mr. SHEIL; the idea was first suggested by his friend Mr. WILLIAM HENRY CURRAN, who commenced the series with a character of the late LORD PLUNKET, and in numerous other papers largely contributed to the success of the design. Notwithstanding this fact, the American publisher has not only confounded Mr. SHEIL'S contributions with Mr. CURRAN'S, assigning the whole to the pen of the former, but has had the assurance to pretend in his preface that a compilation so discreditable was undertaken with the approbation and authority of Mr. SHEIL himself.

It must also be observed, that in the American edition, the most palpable mistakes of the press in the original Papers are religiously preserved and repeated; and the errors in the classical quotations (those everlasting stumbling-blocks of printers) are copied with scrupulous nicety. We are informed, in a cautious note, that by "Goethe's Metempsyphiles," may *possibly* have been intended "Goethe's Mephistophiles." A slip of the pen so obvious as "the Chorus of Apothecaries in Molière's *Bourgeois Gentilhomme*," remains uncorrected. In one place, CHARLES BUTLER, the lawyer, is confounded with ALBAN BUTLER, the

divine, and affirmed to be the author of the "Lives of the Saints." In another the late EARL GREY is represented, in the year 1825, as still overwhelmed with sorrow for the death of Mr. Fox;—in short, there is no end to the blunders and absurdities with which the publication abounds.

Mr. SHEIL's papers, here reprinted, naturally subdivide themselves into the Sketches of the Bar and articles illustrative of the Author's political career. In selecting and arranging the materials, the Editor has thought it desirable to subjoin a few occasional notes, for the most part explanatory of allusions to local occurrences, or circumstances which the lapse of time has involved in obscurity. In a few instances, where the subject seemed too minute and trivial to be either entertaining or instructive to the public at the present day, a Paper has been omitted; and the Editor has exercised the same discretion in one or two other cases, where he could not but feel that the Author himself, if living, would have decidedly objected to republication, as an unbecoming revival of personalities, which would no longer find a justification or excuse in the conflicting interests and excited passions of the hour.

The date of the appearance of each Paper has been carefully given; and the Author's notes, of which, how-

ever, not more than two or three will be found in the course of the work, are distinguished from the Editor's by the letter A affixed to them.

When the Sketches of the Irish Bar first appeared, they purported (for reasons no longer existing) to be written by an Englishman, who had visited Ireland. This is mentioned here, solely in order to prevent any perplexity to the reader, in the occasional passages, throughout the series, in which this assumed character of the writer is indicated.

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SKETCHES OF THE BAR.



SKETCHES OF THE BAR.

MR. BUSHE.

[OCTOBER, 1822.]

MR. BUSHE is the son of a clergyman of the Established Church, who resided at Kilmurry, in the county of Kilkenny, in the midst of the most elegant and most accomplished society in Ireland. He was in the enjoyment of a lucrative living, and being of an ancient family, which had established itself in Ireland in the reign of Charles the Second, he thought it incumbent upon him to live upon a scale of expenditure more consistent with Irish notions of dignity than with English maxims of economy and good sense. He was a man of refined manners, and of polished if not prudential habits. His son Charles imbibed from him an ardent love of literature, and had an opportunity, from his familiar intercourse with the best company in the kingdom, to acquire those graces of manner which render him a model of elegance in private life, and which, in the discharge of professional business, impart such a

dignified suavity to his demeanour as to charm the senses before the understanding is addressed. His mother was the sister of Major-General Sir John Doyle, and is said to have been a highly cultivated woman.

Mr. Bushe received his education in the University of Dublin, and, I may add, in the Historical Society, which was established by the students for the cultivation of eloquence and of the arts which are connected with it. Although it derived its appellation from the study of history, to which it was nominally dedicated, the political situation of the country speedily directed its pursuits to the acquisition of the faculty of public speech; through which every man of talent expected to rise into eminence, at a period when oratory was the great staple commodity in the intellectual market. This institution rose of its own accord out of the spontaneous ambition of the students of the University. So far from assisting its growth, the fellows of the college employed every expedient to repress it. Their own monastic habits made them look with distaste upon an establishment whose pursuits were so widely at variance with their own tastes; and they were as much at a loss to discover the use of oratory, as the professor at Louvain to find out the benefit of Greek. They uniformly endeavoured to counteract the society, upon a variety of pretences; but their chief motive of opposition appears to have arisen from the liberality of the sentiments which were inculcated in the discussions which took place at the weekly meetings of the institution. They observed that toleration had become a prevalent doctrine in the college: this they justly attributed to that diffusion of truth which of necessity

attends its investigation: and saw that the genius of Orangeism, which had so long found a secure asylum within their cloisters, had been disturbed in the place of its favourite abode.

In the true spirit of monks (and however they may differ in the forms of their faith, in their habits, and in the practical results in which their principles are illustrated and embodied, the monks of all religions are inveterately the same), the Superiors of the University took the society under their baneful protection. They attempted to hug it to death in their rugged and hirsute embrace. The students, however, soon became aware of the real objects of their interference, and were compelled, in order to preserve the institution from the consequences of so impure a connection, to recede from the University, and hold their meetings beyond its walls. This was a step inconsistent with the discipline which ought to be maintained in every establishment for the education of youth; but any violation of propriety which it involved, may justly be laid to the charge of the superiors of the college, by whom it was provoked.*

Mr. Bushe had been recently called to the Bar, but had not yet devoted himself to its severer studies with the strenuous assiduity which is necessary for success in so laborious a profession. But the fame which he had acquired in the society itself, induced its rebellious members to apply to him to pronounce a speech at the close of the first session which was held beyond the

* Mr. Sheil was himself a distinguished member of the society in question, in the second phase of its existence; he frequently obtained its medals for oratory and composition, especially the latter. See an article on the subject in the *Irish Quarterly Review* for last September.

precincts of the college, for the purpose of giving the dignity and importance to their proceedings which they expected to derive from the sanction of his distinguished name. Mr. Bushe acceded to the request, and pronounced a very eloquent oration, which Mr. Phillips has, I observe, inserted in his collection of "Specimens of Irish Oratory." It is remarkable for purity and simplicity of style, and for an argumentative tone, which in so young a man, who had hitherto exercised himself upon topics which invited a puerile declamation, and the discussion of which was a mere mockery of debate, afforded grounds for anticipating that peculiar excellence which he afterwards attained. A few metaphors are interspersed, but they are not of the ordinary class of Irish illustration; and what was unavoidable in an assembly composed of insurgent students, an hyperbole is occasionally to be found in the course of this very judicious speech. But, taken as a whole, it bears the character of the mature production of a vigorous mind, rather than of the prolusion of a juvenile rhetorician.*

* Mr. Grattan, who heard Mr. Bushe speak in the Historical Society, said, "he spoke with the lips of an angel." See Lord Brougham's *Statesmen of the Reign of George the Fourth*, where he thus pronounces judgment on Mr. Bushe's eloquence:—"His merit as a speaker was of the highest description. His power of narration has not perhaps been equalled. Perfect simplicity, but united with elegance; a lucid arrangement and unbroken connection of all the facts; the constant introduction of the most picturesque expressions, but never as ornaments: these, the great qualities of narration, accomplish its great end and purpose; they place the story or the scene before the hearer or the reader, as if he witnessed the reality. It is unnecessary to add that the temperate and chaste and even saddened tone of the whole is unvaried and unbroken; but such praise belongs to every part of this great speaker's oratory. The utmost that partial criticism could do to find a fault was

This circumstance is a little remarkable. The passion for figurative decoration was at this time at its height in Ireland. The walls of the Parliament-House resounded with dithyrambics, in which, at the same time, truth and nature were too frequently sacrificed to effect. The intellect of the country was in its infancy, and although it exhibited signs of athletic vigour, it was pleased with the gorgeous baubles which were held out for its entertainment. It is therefore somewhat singular that while a taste of this kind enjoyed so wide and almost universal a prevalence, Mr. Bushe should, at so early a period of his professional life, have manifested a sense of its imperfections, and have traced out for himself a course so different from that which had been pursued by men whose genius had invested their vices with so much alluring splendour. This circumstance is partly, perhaps, to be attributed to the strong instinct of propriety which was born with his mind, and, in some degree, to his having passed a considerable time out of Ireland, where he became conversant with models of a purer, if not of a nobler eloquence, than that which was cultivated in the sister kingdom. He lived in France for some years amongst men of letters; and although the revolution had subverted, in a great degree, the principles of literature as well as of government, yet enough of relish for classical beauty and simplicity had survived, amongst men who had received the advantages of education, to furnish him with the opportunity, of which he so advantageously availed himself, of culti-

to praise the suavity of the orator at the expense of his force. John Kemble described him as "the greatest actor off the stage," &c.

vating a better style of expression than he would, in all probability, have adopted had he permanently resided in Ireland.

It may appear strange that I should partly attribute the eminence in oratory to which Mr. Bushe has attained, to the Historical Society, after having stated that he deviated so widely from the tone of elocution which prevailed in that establishment, and in which, if there was little of childishness, there was much of boyhood. But, with all its imperfections, it must be recollected that such an institution afforded an occasion for the practice of the art of public speaking, which is as much, perhaps, the result of practical acquisition, as it is of natural endowment. A false ambition of ornament might prevail in its assemblies, and admiration might be won by verbose extravagance and boisterous inanity; but a man of genius must still have turned such an institution to account. He must have thrown out a vast quantity of ore which time and circumstance would afterwards separate and refine. His faculties must have been put into action, and he must have learned the art, as well as tasted the delight, of stirring the hearts and exalting the minds of a large concourse of men. The *physique* of oratory too, if I may use the expression, must have been acquired. A just sense of the value of gesture and intonation results from the practice of public speaking; and the appreciation of their importance is necessary to their attainment. It is for these reasons that I am inclined to refer a portion of the prosperity which has accompanied Mr. Bushe through his profession, to an institution, the suppression of which, under the provostship of Doctor Elrington, has been a source of great regret

to every person who had the interests of literature at heart.

It was at one period expected that Doctor Magee would have been appointed provost; and his repeated declarations, and even remonstrances in its favour, were confidently regarded as affording a security that he would re-establish a society to which, as well as his distinguished contemporaries, he had acknowledged himself to be deeply indebted. But, unfortunately for the interests of the college and of the country, that eminent divine has not had an opportunity of accomplishing his desires, and of restoring an institution in which polite literature was cultivated to such an extent as to compensate for its deplorable neglect in the regular course of the University.*

The reputation which Mr. Bushe had acquired among his fellow-students, attended him to his profession; and in a very short period he rose into the public notice, as an advocate of distinguished abilities. It was indeed impossible that he should remain in obscurity. His genius was not of such a character as to stand in need of a great subject for its display. The most trivial business furnished him with an occasion to produce a striking effect. There are some men who require a lofty theme for the manifestation of their powers. Their minds demand the stimulus of

* Dr. Magee had just been translated from the see of Raphoe to the archbishopric of Dublin when this sketch appeared. It was not until after his advancement that he developed those traits of his character which have given him an unenviable reputation in the history of the Protestant Church in Ireland. In the subsequent papers, entitled *State of Parties in Dublin*, and *The New Hohenloe Miracle*, this eminent, or rather notorious divine, will be seen pourtrayed in his proper colours.

high passion, and are slow and sluggish unless awakened by the excitement which great interests afford. This is peculiarly the case with Mr. Burrowes, who upon a noble topic is one of the ablest advocates of the Irish bar, but who seems oppressed by the very levity of a petty subject, and sinks under its inanity.* He is in every respect the opposite of Mr. Bushe, who could not open his lips, or raise his hand, without immediately exciting and almost captivating the attention of every man around him.

There is a peculiar mellowness and deep sweetness in his voice, the lower tones of which might almost without hazard of exaggeration be compared to the most delicate notes of an organ, when touched with a fine but solemn hand. It is a voice full of manly melody. There is no touch of effeminacy about it. It possesses abundance as well as harmony, and is not more remarkable for its sweetness than its sonorous depth. His attitude and gesture are the perfection of "easy art"—every movement of his body appears to be swayed and informed by a dignified and natural grace. His countenance is of the finest order of fine faces, and contains an expression of magnanimous frankness, that in the enforcement of any cause which

* Mr. Peter Burrowes has passed away, like the greater number of distinguished Irishmen mentioned in these pages. He was a man of strenuous intellect, much original genius, and a charming simplicity and benignity of character. A member of the last Irish Parliament, he vigorously opposed the destruction of that assembly. What he was at the bar the author has briefly and accurately defined. Among other professional achievements, he displayed great energy and ability in defence of the Catholic delegates, whose prosecution by Mr. Saurin is referred to in the sequel of this paper. For many years Mr. Burrowes filled the office of Commissioner of the Insolvent Court, and he died at a very advanced age.

he undertakes to advocate, invests him with such a semblance of sincerity as to lend to his assertion of fact, or to his vindication of good principle, an irresistible force. It was not wonderful that he should have advanced with extreme rapidity in his profession, seconded as he was by such high advantages. It was speedily perceived that he possessed an almost commanding influence with the jury; and he was in consequence employed in every case of magnitude which called for the exertion of such eminent faculties as he manifested upon every occasion in which his powers were put into requisition.

Talents of so distinguished a kind could not fail to raise him into political consequence, as well as to insure his professional success. The chief object of every young man of abilities at the Bar was to obtain a seat in parliament. It secured him the applause of his country if he devoted himself to her interests; or if he enlisted himself under the gilded banners of the minister, place, pension, and authority were the certain remunerations of the profligate services which his talents enabled him to bestow upon a government which had reduced corruption into system, and was well aware that it was only by the debasement of her legislature that Ireland could be kept under its control. The mind of Mr. Bushe was of too noble a cast to lend itself to purposes so uncongenial to a free and lofty spirit; and he preferred the freedom of his country and the retributive consciousness of the approbation of his own heart, to the ignominious distinctions with which the administration would have been glad to reward the dereliction of what he owed to Ireland and to himself. Accordingly we find, that Mr. Bushe threw

all the energy of his youth into opposition to a measure which he considered fatal to that greatness which Nature appeared to have intended that his country should attain; and to the last he stood among the band of patriots who offered a generous but unavailing resistance to a legislative Union with Great Britain.*

However, as an Englishman I may rejoice in an event, which, if followed by Roman Catholic Emancipation, will ultimately abolish all national antipathy, and give a permanent consolidation to the empire; it cannot be fairly questioned that every native of Ireland ought to have felt that her existence as a country was at stake, and that, in place of making those advances in power, wealth, and civilization, to which her natural advantages would have inevitably led, she must of necessity sustain a declension as rapid as her progress towards improvement had previously been, and sink into the provincial inferiority to which she is now reduced.† This conviction, the justice of which has been so well exemplified

* Mr. Bushe represented the borough of Donegal. He spoke but once on the question of the Union (in the debate on the 15th January), with the exception of a brief but energetic reply to the Prime Sergeant (Daly), who had hazarded some coarse remarks upon the mode of Mr. Bushe's introduction into the house. He wrote, however, as well as spoke, on the popular side. Of his pamphlet entitled *Cease your Funning*, in reply to a manifesto from the Castle, Lord Brougham observes: "It is indeed admirably executed, and reminds the reader of the best of Dean Swift's political writings, being indeed every way worthy of his pen."

† The character of an Englishman, assumed in the earliest of these essays (no doubt as a convenient mask for a greater latitude of criticism and freedom of remark), does not appear to have been very carefully maintained in many of them, while in some it will be found to have been dropped altogether, the inconvenience of the disguise having probably been discovered by experience.

by the event, prevailed through Ireland; and it required all the seductions which the minister could employ, to produce the sentence of self-annihilation, which he at last succeeded in persuading a servile legislature to pronounce.

To the honour of the Irish bar, the great majority of its members were faithful to the national cause: and Curran, Plunket, Ponsonby, Saurin, Burrowes, and Bushe, accomplished all that eloquence and patriotism could effect, in opposition to the mercenaries, who had sold the dignity of their profession, as well as the independence of their country, in exchange for that ignoble station, to which by their slimy profligacies they were enabled to crawl up. Bushe was the youngest of these able and honest men; but he was among the most conspicuous of them all. In answer to what was urged in favour of the Union, grounded upon the necessity of employing corrupt means to govern the country as long as there were two independent legislatures, and in ridicule of the improvement which it was alleged that the Irish Parliament would derive from its union with that of England, he said:—

"The pure and incorruptible virtue of the ministers cannot bear the prospect of such corruption, and that they may not see it, they plunge into the midst of it. They are Platonists in politics; the gross sensualities of the connection disgust them, but the pure and spiritual indulgences of the union delight them. I own I always suspect this furious virtue: the morals of prudery are always problematical. When I see this pliable patriotism declaiming with surly indignation to-day, and cringing with supple adulation to-morrow—in the morning Diogenes growling in his tub, and in the evening Aris-

tippus fawning in the ante-chamber—I always suspect that there is something more than meets the eye. I would ask some one of those enlarged and liberal politicians, does he think that the simple executive government which is to be left in Ireland, will be an improvement upon our situation, and whether he knows of no method to reform the parliament, except by annihilating it? The noble Lord (Castlereagh) may instruct him by retracing the speculations of his youthful days, and supply him with some of those plans of reform which it would not have cost him half so much trouble to carry as the extinction of parliament. But what is to be the transfiguration which is to glorify it, and how is this corruptible to put on incorruption? It is sentenced to death. In Ireland it is to suffer the death of a felon; but its resurrection in Westminster, in the midst of angel purity and immaculate innocence, is, it seems, to compensate for the suspension of its political life. But have these high priests of the new dispensation revealed the truth to us, as to this paradise of Westminster? Do they know the British Parliament who thus speak? Do they think there is no borough patronage or borough representation? Do they suppose there are no placemen? Do they conceive it a pool of Bethesda, in which our impurities are to be cleansed? Do they forget that this immaculate parliament, more than twenty years ago, declared by a solemn vote that the influence of the Crown had increased, was increasing, and ought to be diminished? Do they forget that the present prime minister declared eighteen years ago, that unless that assembly was radically reformed, the empire was lost? Do they know that it has never been reformed since? and do they think that one hundred Irish transplanta-

tions will reform it? Have they ever considered that there ministerial influence predominates so effectually, that the opposition has seceded in despair? Have they ever visited this exhibition of pure representation? Have they ever looked at Mr. Pitt governing that assembly by his nod, and scarcely concealing his own actual despotism with the forms of the constitution?"

In this strenuous resistance which was offered by the respectable portion of the Irish Bar to the measure which deprived Ireland of the advantages of a local legislature, a consciousness of deep personal interest must have been mingled with their public virtue; for it was not difficult to foresee that the profession from which the government was compelled to make the selection of its parliamentary advocates, and to which the country looked for its ablest support, must sustain a fatal injury, from the deprivation of the opportunities of venality upon one hand, and of profitable patriotism upon the other. The House of Commons was the field to which almost every lawyer of abilities directed his hopes of eminence rather than to the courts of law; and it must be acknowledged, that with that field the career to high fame is closed upon the profession. Money may now be made in equal abundance by laborious ability (and indeed the quantity of talent and of industry at the Irish Bar demand in every individual who aims at important success a combination of both); but no very valuable reputation can be obtained. Perhaps in the estimate of black-letter erudition the change is not to be deplored: and unquestionably the knowledge of law (for a few years ago the majority of barristers in full practice were ignorant of its elementary principles) has considerably increased, and English habits of busi-

ness and of diligence are gradually beginning to appear. But the elevated objects of ambition, worthy of great faculties and of great minds, were withdrawn for ever.

Mr. Bushe must have repined at the prospect. He would naturally have sought for mines of gold amidst the heights of fame, and he was now reduced to the necessity of digging for it in an obscure and dreary level. It is well known that Mr. Plunket had at the time entertained the intention of going to the English Bar, in consequence of the exportation of the legislature; but the cautious timidity of his advisers induced him to abandon the idea. I am not aware whether Mr. Bushe had ever proposed to himself an abandonment of a country, from which true genius must have been tempted to become an absentee. But it is likely that his pecuniary circumstances, which in consequence of his spontaneous generosity in paying off his father's debts (his own sense of duty had rendered them debts of honour in his mind) were at this period extremely contracted, must have prevented him from engaging in so adventurous an enterprise.

To him individually, however, if the Union was accompanied with many evils, it was also attended with countervailing benefits. Had the Irish Parliament been permitted to exist, Mr. Bushe would, in all probability, have continued in opposition to the government, upon questions to which much importance would have been annexed. Catholic emancipation, which is now not only innocent, but in the mind of almost every enlightened man has become indispensable, would have been regarded as pregnant with danger to the state. Mr. Bushe, I am satisfied, could never have brought himself to resist what his own instincts must have

taught him to be due to that justice which he would have considered as paramount to expediency. Many obstacles would have stood in the way of a sincere reconciliation with the government, and he could not afford to play the part of Fabricius. Whether the arguments which Lord Castlereagh knew so well how to apply, and before which, in the estimate of the House of Commons, all the eloquence of Grattan was reduced into a magnificent evaporation, would have prevailed upon Mr. Bushe, as they did with the majority of the Irish members, it is unnecessary to conjecture; but unquestionably had not the Union passed, he must have abandoned his political opinions before he could have been raised to office. When, however, that measure was carried, a compromise became easy, and was not, in my opinion, dishonourable. Accordingly, although he had opposed the government on the measure which they had most at heart, their just sense of his talents induced them to offer him the place of Solicitor-General, to which he was promoted in thirteen years after he had been called to the Bar.* That office he has since held, and rendered the most important services to the minister, without perhaps, at the same time, ever having been guilty of any dereliction of his former opinions.

He was placed indeed in rather an embarrassing

* By the Government of Lord Hardwicke, in 1805. The Attorney-General was Mr. Plunket. Both retained their offices under the "Talents" administration, 1806–7. On the breaking up of that short-lived ministry, Mr. Plunket retired; but Mr. Bushe, as colleague to Mr. Saurin, continued to hold the place of Solicitor-General until Lord Wellesley came to Ireland in 1822, when he was raised to the Chief-Justiceship of the King's Bench. He was promoted in the interval between the writing and publishing of this sketch, as appears by the note appended to it by the author.

position; for his associate, or rather his superintendent in office, Mr. Saurin, was conspicuous for his hatred to the Roman Catholic cause, of which Mr. Bushe had been, and still professed himself, the earnest friend. This antipathy to the Roman Catholics formed the leading, I may say the only feature, in the political character of Saurin, who had simplified the theory of Government in Ireland, by almost making its perfection consist in the oppression of a majority of its people. Bushe, on the other hand, had often declared, that he considered the general degradation of so large a class of the community as incompatible with national felicity. This difference of opinion is said to have produced a want of cordiality between the two servants of the Crown; Bushe, however, with all his liberality of feeling (and I have no doubt that his professions were entirely sincere), was of infinitely more use to the Government than Saurin could possibly have been, when the suppression of the Roman Catholic Board was resolved upon. The latter, upon the trial of the delegates exhibited a sombre virulence, which was calculated to excite wonder rather than conviction. Its gloomy animosity was without a ray of eloquence. But the Solicitor-General produced a very different effect.

He stood before the jury as the advocate of the Catholic cause, to suppress the Roman Catholic Board. The members of that body had been designated as miscreants by Mr. Saurin (that learned gentleman appears to be averse to any circumlocutory form of phrase);—the Solicitor-General called them his friends. With a consummate wile he professed himself the champion of the people, and put forth all his ardour in insisting upon the necessity of concession to six millions of men. To

the utterance of these sentiments, which astonished Mr. Saurin, he annexed the full power of his wonderful delivery. His countenancé became inflamed; his voice assumed all the varieties of its most impassioned intonation; and his person was informed and almost elevated by the consciousness of the noble thoughts which he was enforcing, for the purpose of investing the very fallacies which he intended to inculcate with the splendid semblances of truth. After having wrought his hearers to a species of enthusiasm, and alarmed the Attorney-General by declaring, with an attitude almost as noble as the sentiment which it was intended to set off, that he would throw the constitution to his Catholic countrymen as widely open as his own breast, he suddenly turned back, and after one of those pauses, the effect of which can be felt by those only who have been present upon such occasions, in the name of those very principles of justice which he had so powerfully laid down, he implored the jury to suppress an institution in the country, which he asserted to be the greatest obstacle to the success of that measure, for the attainment of which it had been ostensibly established.*

* A further account of these trials, which caused great sensation at the time, will be found in the historical notice by Mr. Sheil of the Catholic Leaders and Associations. As a specimen of Mr. Bushe's eloquence, the following passage from his speech in the case of Sheridan, one of the delegates, may not be unacceptable in this place. The proceedings were ably reported by Mr. Hatchell, the late Attorney-General for Ireland:—" It has been clamourously urged that the Government has declared war against the subject's right of petitioning, which it is insisted is illimitable; like the freedom of the press, not subject to previous restraint, and only controllable for subsequent excess. This is a most mistaken view of the Constitution; there is no such principle known to our Constitution as those illimitable rights. It exists by its restraints, its controls, its checks and balances. It is new and unconstitutional doctrine

The eloquence of Mr. Bushe, assisted by certain contrivances behind the scenes, to which government is, in Dublin, occasionally obliged to resort, produced the intended effect. I doubt not that a jury so properly compounded (the panel of which, if not suggested, was at least revised) would have given a verdict for the crown, although Mr. Bushe had never addressed them. But the government stood in need of something more than

to talk of the unrestrained rights of the people. What is that most precious right of the people of these countries, the right which the Catholic Committee is about to usurp? The right of representation; that which distinguishes us from all the nations of the earth. Is it unrestrained? Was it ever uncontrolled? The rights and qualifications of electors are measured by property, situation, and independence. The title to elect must be ascertained by registry and identified by record. The capacity is confined, the law of election is complicated, and a special tribunal is appointed to administer it. When the senate is convened, the members are under the control of the speaker. Their very privilege of speech is definite, and their duration depends upon the king, who can prorogue or dissolve them. Compare this right of representation with that claimed by the Catholic Committee, and in the contrast behold the wisdom of the Convention Act and the necessity of these prosecutions. If the legitimate parliament were to be assembled as this Committee has been, the Constitution would not survive the first election. Can it be the constitution or the law, that what is denied to the Parliament shall be allowed to a committee, and all the evils of democracy let loose upon the state—universal suffrage, promiscuous eligibility, and indiscriminate representation? Suppose this extraordinary meeting to assemble, who is to control them? Who is their Speaker? Who their Serjeant-at-arms? If in such an assembly, a rash young man, inflamed by debate, should eulogize and hold up to respect the rebels of 1798 as patriots and martyrs, who is there to call him to order? Compare such a constitution with the established authorities of the land—all controlled, confined to their respective spheres, balancing and gravitating to each other,—all symmetry, all order, all harmony. Behold on the other hand this prodigy in the political hemisphere, with eccentric course and portentous glare, disclaiming any orbit, disturbing the system, and affrighting the world."

a mere verdict. It was necessary to give plausibility to their proceedings, and they found it in the oratory of this distinguished advocate. Is it not a little surprising that Mr. Bushe should, in despite of the vigour of his exertions against the Catholic Board, and their success, have still retained his popularity? It would be natural that such services as he conferred upon the ministry, which appeared so much at variance with the interests, and in which he acted a part so diametrically in opposition to the passions, of the people, should have generated a feeling of antipathy against him. But the event was otherwise. He had previously ingratiated himself so much in the general liking, and so liberal an allowance was made for the urgency of the circumstances in which he was placed, that he retained the favour not only of the better classes among the Roman Catholics, but did not lose the partialities of the populace itself. At all events, the benefits he rendered to the government were most material, and gave him the strongest claims upon their gratitude.

Another remarkable instance occurred not very long ago, of the value of such a man to the Irish administration, and it is the more deserving of mention, as it is connected with circumstances which have excited no inconsiderable interest in the House of Commons, and brought Mr. Plunket and his rival into an immediate and honourable competition. I allude to the case of the Chief Baron O'Grady, when he set up a claim to nominate to the office of Clerk of the Pleas in the Court of Exchequer in Ireland. The prize for which the learned Judge was adventuring was a great one, and well worth the daring experiment for which he exposed himself to the permanent indignation of the

government. The salary of the office was to be counted by thousands, and the Chief Baron thought that it would be as conducive to the public interests, and as consistent with the pure administration of justice, that he should appoint one of his own family to fill the vacancy which had occurred, as that the local ministry of Ireland should make the appointment. The matter was brought before Parliament; and much was said, though I think unjustly, upon the ambitious cupidity of his pretensions. The right of nomination was made the subject of legal proceedings by the Crown, and the Attorney-General, Mr. Saurin, thought proper to controvert the claims of the Chief Baron in the shape of a *Quo warranto*, which was considered a harsh and vexatious course by the friends of the learned Judge, in order to ascertain the naked question of right.

The latter secured Mr. Plunket as his advocate. He had been his early friend, and had contributed, it was said, to raise him to the place of Solicitor when he was himself appointed to that of Attorney-General, and had lived with him upon terms of the most familiar intercourse. It was stated, but I cannot answer for the truth of the general report, that he sent him a fee of three hundred pounds, which Mr. Plunket returned, but which the Chief Baron's knowledge of human nature (and no man is more deeply read in it) insisted upon his accepting—partly perhaps because he did not wish to be encumbered with an unremunerated obligation, and no doubt also because he was convinced, as every lawyer is by his professional experience, that the greatest talents stand in need of a pecuniary excitation, and that the emotions of friendship must be stimulated by that sense of duty which is imposed by the actual perception of

gold. I am sure that Mr. Plunket would have strained his mind to the utmost pitch, without this additional incentive, upon behalf of his learned friend; but still the Chief Baron exhibited his accustomed sagacity, in insisting upon the payment of a fee.

This was a great cause. The best talents at the Bar were arrayed upon both sides. The issue was one of the highest importance, and to which the legislature looked forward with anxiety. The character of one of the chief judges of the land was in some degree at stake, as well as the claims which he had so enterprisingly advanced; and every circumstance conspired to impart an interest to the proceedings, which does not frequently arise. Mr. Saurin stated the case for the crown with his usual solemnity and deliberation, and with that accuracy and simplicity which render him so valuable an advocate in a court of equity. He was followed by Mr. Plunket. One is apt to think that "an ancient grudge," or at least a rivalry, akin to it, must have subsisted between them. Saurin had succeeded to the office of Attorney-General upon the resignation of Mr. Plunket, when, as it was understood at the time, he relinquished his place at the express desire of the Grenville party. He could not but feel some emotions of regret analogous to the corrosions of jealousy, when he saw the golden harvest which he might have reaped, accumulating for fifteen years in the granary of another. It is also likely that he entered warmly into the feelings of his client, and thought that an unfair mode of proceeding had been adopted in his regard.

But from whatever cause or motive it might have

arisen, he exhibited in his reply that fierce spirit of sarcasm which he has not yet fully displayed in the House of Commons, though it is one of the principal ingredients in his eloquence.* His metaphors are generally sneers, and his flowers of speech are the aconite in full blow. He did not omit the opportunity of falling upon his political antagonist, in whom he left many a scar, which, though half-healed, are visible to the present day. His oration was as much a satire as an argument, and exhibited in their perfection the various attributes of his mind. The impression which he left upon the Court was deep, but that which was made upon the mind of Mr. Saurin was more lasting. Plunket protested that he meant him no offence; but Saurin felt a poignant resentment at what he considered an affront, and, until very recently, all interchange of ordinary salutation ceased between them.

Bushe, as Solicitor-General, had to reply, and he felt the importance of the occasion, and the magnitude of the task; but he also felt the inspiring consciousness of his equality to its discharge. Plunket was his intimate friend, and they both admired and esteemed each other. The competition between Saurin and Plunket was that of power, while that between Plunket and Bushe was the more exalted and generous rivalry of mind. But the latter was sensible that, holding an important office under the Crown, and being bound to

* In the debates on Irish Affairs in 1821, Mr. Sheil might have found a striking display of Mr. Plunket's powers of sarcasm, to the exercise of which he was provoked by the ultramontane bigotry of Dr. Milner, the celebrated Catholic polemic of the day. Mr. Plunket's castigation of Mr. Charles Brownlow, another most successful invective, was in the Session of 1824, after this article was written.

assert its rights, and to protect and vindicate his colleague, it was necessary that he should use little forbearance in his retaliation. His oratorical ambition, too, was in all probability powerfully excited by the sentiment of emulation, and he accordingly exerted all the resources of his intellect in the contest. His speech was a masterpiece; and in the general opinion, in those parts of it which principally consisted of declamatory vituperation, he won the palm from his competitor. He was pure, lofty, dignified, and generously impassioned. If his reasoning was not so subtle and condensed, it was more guileless and persuasive, and his delivery far more impressive and of a higher and more commanding tone. A very accurate and cold-blooded observer would have perceived, perhaps, in the speech of Mr. Plunket a deeper current of thought and a more vigorous and comprehensive intellect; but the great proportion of a large assembly would have preferred the eloquence of Bushe. The true value of it cannot be justly estimated by any particular quotations, as the chief merit of all his speeches consists in the unity and proportion of the whole, rather than the beauty and perfection of the details.

The great reputation obtained by Mr. Plunket in the House of Commons, and which has given him a sway so much more important, and a station so much more valuable than any professional elevation, no matter how exalted, can bestow, must have often excited in the mind of Mr. Bushe, as well as in his admirers, a feeling of regret that he did not offer himself as a candidate for a seat in the Imperial Parliament. It has frequently been a subject of disquisition, whether he would not

have been equal to the most eloquent of the Irish members—perhaps the ablest man in the whole House; and he has been repeatedly urged, both by Government and his own immediate friends, to make the experiment. A certain spirit of prudence, which in a person so endowed borders on timidity, and the apprehension that his business at the Bar might be affected by the necessity of attending the House of Commons, induced him to resist all the precarious allurements of fame held out by a prospect which he justly, perhaps, considered less golden than bright. Upon a recent occasion, however, he was upon the point of engaging in this new career—the only one, perhaps, which can be regarded as worthy of his abilities. Upon the death of Mr. Grattan, which produced a vacancy in the representation of Dublin, he was solicited to stand for that city. There can be little doubt that even the Orangemen of the Corporation, wedded as they are with such inveterate tenacity to opinions so different from the political sentiments of Mr. Bushe, would, from a feeling of national pride, in which with a somewhat singular inconsistency they occasionally indulge, have united with the Roman Catholics in his support, and that he would have been returned without a contest. But the ambition of Mr. Bushe yielded to the reverence which he cherished for the memory of the illustrious person whom he was solicited to succeed, and accordingly he declined putting himself into competition with the son of Henry Grattan. This noble sacrifice at the grave of his departed friend was an unavailing one: the worthy corporators of Dublin selected a person in every respect well qualified to repre-

sent both their principles and understandings, and the mantle of the great patriot dropped from the chariot of his fame upon the shoulders of Master Ellis.*

It is the opinion of all those who have had the opportunity of hearing Mr. Bushe, that he would have made a very great figure in the English House of Commons; and for the purpose of enabling those who have not heard him to form an estimate of the likelihood of his success in that assembly, and of the frame and character of his eloquence, a general delineation of this accomplished advocate may not be inappropriate.

The first circumstance which offers itself to the mind of any man who recalls the recollection of Bushe, in order to furnish a description of his rhetorical attributes, is his delivery. In bringing the remembrance of other speakers of eminence to my contemplation, their several faculties and endowments present themselves in a different order, according to the proportions of excellence to each other which they respectively bear. In thinking, for example, of Mr. Fox, the torrent of his vehement and overwhelming logic is first before me; if I should pass to his celebrated antagonist, I repose upon the majesty of his amplification. The wit of Sheridan, the blazing imagination and the fantastic drollery of Curran, the forensic and simple vigour of Erskine, and the rapid, versatile, and incessant intensity of Plunket—are the first associations which connect themselves with their respective names. But there is no one peculiar faculty of mind which suggests itself in the first instance as

* See the paper entitled "The Tabinet Ball," among the sketches in Volume II.

the characteristic of Mr. Bushe, and which presses into the van of his qualifications as a public speaker. The corporeal image of the man himself is brought at once into the memory. I do not think of any one distinguishing attribute in the shape of a single intellectual abstraction—it is a picture that I have before me.

There is a certain rhetorical heroism in the expression of his countenance, when enlightened and inflamed. which I have not witnessed in the faces of other men, The phrase may, perhaps, appear too extravagant and Irish; but those who have his physiognomy in their recollection will not think that the word is inapplicable. The complexion is too sanguineous and ruddy, but has no murkiness or impurity in its flush; it is indicative of great fulness, but at the same time of great vigour of temperament. The forehead is more lofty than expansive, and suggests itself to be the residence of an elevated rather than of a comprehensive mind. It is not so much the "dome of thought," as "the palace of the soul." It has none of the deep furrows and intellectual indentures which are observable in the forehead of Plunket, but is smooth, polished, and marble.

The eyes are large, globular, and blue; extremely animated with idea, but without any of that diffusive irradiation which belongs to the expression of genius. They are filled with a serene light, but have not much brilliancy or fire. The mind within them seems, however, to be all activity and life, and to combine a singular mixture of intensity and deliberation. The nose is lightly arched, and with sufficient breadth of the nostrils (which physiognomists consider as a type

of eloquence) to furnish the associations of daring and of power, and terminates with a delicacy and chiseled elegance of proportion, in which it is easy to discover the polished irony and refined satire in which he is accustomed to indulge.

But the mouth is the most remarkable feature in his countenance; it is endowed with the greatest variety of sentiment, and contains a rare assemblage of oratorical qualities. It is characteristic of force, firmness, and precision, and is at once affable and commanding, proud and kind, tender and impassioned, accurate and vehement, generous and sarcastic, and is capable of the most conciliating softness and the most impetuous ire. Yet there is something artificial about it from a lurking consciousness of its own expression. Its smile is the great instrument of its effects, but appears to be too systematic; yet it is susceptible of the nicest gradations; it merely flashes and disappears, or, in practised obedience to the will, streams over the whole countenance in a broad and permanent illumination: at one moment it just passes over the lips, and dies at the instant of its birth; and at another bursts out in an exuberant and overflowing joyousness, and seems caught in the fulness of its hilarity from the face of Comus himself.

But it is to satire that it is principally and most effectually applied. It is the glitter of the poisoned sneer that is levelled at the heart. The man who is gifted with these powers of physiognomy is, naturally enough, almost too prodigal of their use: and a person who watched Mr. Bushe would perceive that he frequently employed the abundant resources of his coun-

tenance instead of the riches of his mind. With him, indeed, a look is often sufficient for all purposes: it

> Conveys a libel in a frown,
> And winks a reputation down.

There is a gentleman at the Irish Bar, Mr. Henry Deane Grady, one of whose eyes he has himself designated as "his jury eye;" and, indeed, from his frequent application of its ludicrous qualifications, which the learned gentleman often substitutes in the place of argument, even where argument might be obviously employed, it has acquired a sort of professional distortion, of which he appears to be somewhat singularly proud. Mr. Bushe does not, it is true, rely so much upon this species of ocular logic; but even he, with all his good taste, carries it to an extreme. It never amounts to the buffoonery of the old school of Irish barristers, who were addicted to a strange compound of tragedy and farce; but still it is vicious from its excess.

The port and attitude of Mr. Bushe are as well suited to the purposes of impressiveness as his countenance and its expression. His form, indeed, is rather too corpulent and heavy, and if it were not concealed in a great degree by his gown, would be considered ungainly and inelegant. His stature is not above the middle size; but his chest is wide and expansive, and lends to his figure an aspect of sedateness and strength. In describing the ablest of his infernal senate, Milton has particularly mentioned the breadth of his "Atlantean shoulders." The same circumstance is specified by Homer in his picture of Ulysses; and however many speakers of eminence have overcome the disadvantages

of a weak and slender configuration, it cannot be doubted that we associate with dignity and wisdom an accompaniment of massiveness and power.

His gesture is of the first order. It is finished and rounded with that perfect care which the orators of antiquity bestowed upon the external graces of eloquence, and is an illustration of the justice of the observation made by the master of them all, that action was not only the chief ingredient, but almost the exclusive constituent of excellence in his miraculous art. There is unquestionably much of that native elegance about it, which is to the body what fancy and imagination are to the mind, and which no efforts of the most laborious diligence can acquire. But the heightening and additions of deep study are apparent. The most minute particulars are attended to. So far indeed has an observance of effect been carried, that in serious obedience to the ironical precept of the satirist, he wears a large gold ring, which is frequently and ostentatiously displayed upon his weighty and commanding hand. But it is the voice of this fine speaker, which contains the master-spell of his perfections. I have already mentioned its extraordinary attributes, and indeed it must be actually heard in order to form any appreciation of its effects.

It must be acknowledged by the admirers of Mr. Bushe that his delivery constitutes his chief merit as an advocate, for his other powers, however considerable, do not keep pace with it. His style and diction are remarkably perspicuous and clear, but are deficient in depth. He has a remarkable facility in the use of simple and unelaborated expression, and every word

drops of its own accord into that part of the sentence to which it most properly belongs. The most accurate ear could not easily detect a single harshness, or one inharmonious concurrence of sounds in the course of his longest and least premeditated speech. But at the same time, there is some want of power in his phraseology, which is not either very original or picturesque. He indulges little in his imagination, from a dread, perhaps, of falling into those errors to which his countrymen are so prone, by adventuring upon the heights which overhang them. But I am at the same time inclined to suspect that nature has not conferred that faculty in great excellence upon him: an occasional flash gleams for a moment over his thoughts, but it is less the lightning of the imagination than the warm exhalation of a serene and meteoric fancy.

Curran, with all his imperfections, would frequently redeem the obscurity of his language by a single expression, that threw a wide and piercing illumination far around him, and left a track of splendour upon the memory of his audience which was slow to pass away; but, if Bushe has avoided the defects into which the ambition and enthusiasm of Curran were accustomed to hurry him, he has not approached him in richness of diction, or in that elevation of thought, to which that great speaker had the power of raising his hearers with himself. He was often "led astray," but it was "by light from heaven." On the other hand, the more level and subdued cast of thinking and of phrase which have been adopted by Mr. Bushe, are better suited to cases of daily occurrence; and I own that I should prefer him for my advocate in any transaction

which required the art of exposition, and the elucidating quality which is so important in the conduct of ordinary affairs.

He has the power of simplifying in the highest degree. He evolves with a surprising facility the most intricate facts from the most embarrassing complication, and reduces in a moment a chaotic heap of incongruous materials into symmetry and order. In what is called "the narration" in discourses upon rhetorick, his talent is of the first rank. He clarifies and methodises every topic upon which he dwells, and makes the obscurest subject perspicuous and transparent to the dullest mind.

The name of Charles Kendal Bushe is not so extensively known as that of Plunket beyond the immediate field in which his talents have been displayed. But in Ireland it is almost uniformly associated with that of Plunket, by those who descant upon the comparative merits of their most distinguished advocates. The latter is better fitted to the transactions of ordinary business, and, in a profession which is generally conversant with the details of common life, exhibits a dexterity and astuteness which render him the most practical, and therefore the ablest, man at the Bar. He is always upon a level with his subject, and puts forth his faculties, as if they were as subservient as his limbs to the dominion of his will, in the most precise and minute adaptation to the purposes for which they may happen to be required. The self-control which his mind possesses in so high and rare a degree (and it is more difficult, perhaps, to men of true genius to descend from their native elevation, than to

persons of inferior endowments to raise their faculties to the height of a "great argument") has given him an almost undisputed mastery in the discussion of those topics which constitute the habitual business of the Bar. His hearers are not conscious that he is in reality exercising his great powers while he addresses them in the plainest speech, and apparently in the most homely way. But an acute observer would discover that his reasonings upon the most vulgar topic were the perfection of art, and that under the guise of simplicity, he concealed the most insidious sophistry, and subtleties the most acute. This seeming ingenuousness is the consummation of forensic ability; and however it is to be estimated in a moral point of view, there can be no doubt that at the Bar it is of incalculable use. Mr. Plunket is the chief sophist, and for that reason the most useful disputant, in his profession; and it must be confessed that the deliberations of a court of justice do not call so much for the display of eloquence as for the ingenious exercise of the powers of disputation. The ingenuity of Bushe is too apparent. His angling is light and delicate; but the fly is too highly coloured, and the hook glitters in the sun. In the higher departments of oratory he is, perhaps, equal and occasionally superior to Mr. Plunket, from the power and energy of his incomparable manner; but in the discharge of common business in a common way, he holds a second, though not exceedingly distant place.

His wit is perfectly gentlemanlike and pure. It is not so vehement and sarcastic as that of Plunket, nor does it grope for pearls, like the imagination of Curran, in the midst of foulness and ordure. It is full of

smooth mockery and playfulness, and dallies with its victim with a sort of feline elegance and grace. But its gripe is not the less deadly for its procrastination. His wit has more of the qualities of raillery than of imagination. He does not accumulate grotesque images together, or surprise by the distance of the objects between which he discovers an analogy. He has nothing of that spirit of whim which pervaded the oratory of Curran, and made his mind appear at moments like a transmigration of Hogarth. Were a grossly ludicrous similitude to offer itself to him, he would at once discard it, as incompatible with that chastised and subjugated ridicule in which alone he permits himself to indulge. But from this circumstance he draws a considerable advantage.

The mirth of Curran was so broad, and the convulsion of laughter, which by his personations (for his delivery often bordered upon a theatrical audacity) he never failed, whenever he thought proper, to produce, disqualified his auditors and himself for the more sober investigation of truth. His transitions, therefore, were frequently too abrupt; and with all his mastery over his art, and that Protean quality by which he passed with an astonishing and almost divine facility into every different modification of style and thought, a just gradation from the extravagance of merriment to the depth of pathetic emotion could not always be preserved. Bushe, on the other hand, never finds it difficult to recover himself. Whenever he deviates from that sobriety which becomes the discussions of a court of justice, he retraces his steps and returns to seriousness again, not only with perfect ease, but with-

out even leaving a perception of the change. His manner is admirably chequered, and the various topics which he employs, enter into each other by such gentle and delicate degrees, that all the parts of his speech bear a just relation, and are as well proportioned as the several limbs of a fine statue to the general composition of the whole. This unity, which in all the arts rests upon the same sound principles, is one of the chief merits of Mr. Bushe as a public speaker.

There is a fine natural vein of generous sentiment running through his oratory. It has often been said that true eloquence could not exist in the absence of good moral qualities. In opposition to this maxim of ethical criticism, the example of some highly gifted but vicious men has been appealed to; but it must be remembered, in the first place, that most of those whose deviations from good conduct are considered to afford a practical refutation of this tenet (which was laid down by the greatest orator of antiquity) were not engaged in the discussion of private concerns, in which, generally speaking, an appeal to moral feeling is of most frequent occurrence; and in the next place, there can be little doubt, that although a series of vicious indulgences may have adulterated their natures, they must have been endowed with a large portion of generous instinct. However their moral vision might have been gradually obscured, they could not have been born blind to that sacred light which they knew how to describe so well.

Nay more: I will venture to affirm, that, in their moments of oratorical enthusiasm, they must have been

virtuous men. As the best amongst us fall into occasional error, so in the spirit of lenity to that human nature to which we ourselves belong, we should cherish the hope that there are few indeed so bad, as not in imagination at least to relapse at intervals to better sentiment and a nobler cast of thought. However the fountains of the heart may have been dried and parched up, enough must at least remain to show that there had been a living spring within them. At all events there can be no eloquence without such an imitation of virtue, as to look as beautiful as the original from which the copy is made. Mr. Bushe, I confidently believe, bears the image stamped upon his breast, and has only to feel there, in order to give utterance to those sentiments which give a moral dignity and elevation to his speeches. His whole life, at least, is in keeping with his oratory; and any one who heard him would be justly satisfied that he had been listening to a high-minded, amiable, and honourable man.

The following extract from one of his best speeches will illustrate the quality to which I have alluded, as well as furnish a favourable example of the general tone of his eloquence. He is describing the forgiveness of a husband; and, as this article has already exceeded the bounds which I had prescribed to myself. I shall conclude with it. "It requires obdurate and habitual vice and practised depravity to overbear the natural workings of the human heart; this unfortunate woman had not strength farther to resist. She had been seduced, she had been depraved, her soul was burdened with a guilty secret; but she was young in crime and true to nature. She could no longer bear

the load of her own conscience—she was overpowered by the generosity of an injured husband, more keen than any reproaches—she was incapacitated from any further dissimulation; she flung herself at his feet. 'I am unworthy,' she exclaimed, 'of such tenderness and such goodness—it is too late—the villain has ruined me and dishonoured you: I am guilty.'—Gentlemen, I told you I should confine myself to facts; I have scarcely made an observation. I will not affront my client's case, nor your feelings, nor my own, by common-placing upon the topic of the plaintiff's sufferings. You are Christians,—men: your hearts must describe for me; I cannot—I affect not humility in saying that I cannot; no advocate can—as I told you, your hearts must be the advocates. Conceive this unhappy nobleman in the bloom of life, surrounded with every comfort, exalted by high honours and distinctions, enjoying great property, the proud proprietor, a few hours before, of what he thought an innocent and an amiable woman, the happy father of children whom he loved, and loved the more as the children of a wife whom he adored—precipitated in one hour into an abyss of misery which no language can represent, loathing his rank, despising his wealth, cursing the youth and health that promised nothing but the protraction of a wretched existence, looking round upon every worldly object with disgust and despair, and finding in this complicated woe no principle of consolation, except the consciousness of not having deserved it. Smote to the earth, this unhappy man forgot not his character:—he raised the guilty and lost penitent from his feet; he left her punishment to her conscience

and to Heaven; her pardon he reserved to himself: the tenderness and generosity of his nature prompted him to instant mercy—he forgave her—he prayed to God to forgive her; he told her that she should be restored to the protection of her father, that until then her secret should be preserved and her feelings respected, and that her fall from honour should be as easy as it might; but there was a forgiveness for which she supplicated, and which he sternly refused: he refused that forgiveness which implies the meanness of the person who dispenses it, and which renders the clemency valueless because it makes the man despicable: he refused to take back to his arms the tainted and faithless woman who had betrayed him: he refused to expose himself to the scorn of the world and his own contempt:—he submitted to misery; he could not brook dishonour."

NOTE.—Since the above article was written, Mr. Bushe has been raised to the office of Chief Justice of the King's Bench, in consequence of the *resignation* of Mr. Downes, who has at last proved himself possessed of the Christian virtue which Mr. Bushe used to say was the only one he wanted.*

* Mr. Bushe retired from the Chief-Justiceship in 1842, having filled that high office with great ability and unblemished honour for twenty years. He survived his retirement but a short time, dying in July, 1843.

Of the conversational attractions of this accomplished man, Lord Brougham remarks: "If we followed him into the circle of private society, the gratification was exceedingly great. Nothing, indeed, could be more delightful; for his conversation had no effort, not the least attempt at display,

and the few moments he spoke at a time, all persons wished to have been indefinitely prolonged. The power of narrative which so greatly distinguished him at the bar, was marvellously shown in his familiar conversation, but the shortness, the condensation, formed perhaps the feature that took most hold of the hearer's memory."

MR. SAURIN.

[FEBRUARY, 1823.]

"But where's La-Writ ?
Where's your sufficient lawyer."
The Little French Lawyer.
BEAUMONT & FLETCHER.

MR. SAURIN is the son of a Presbyterian clergyman, who followed the duties of his pious but humble calling in the north of Ireland. His grandfather was a French Protestant, who, after the revocation of the edict of Nantz, sought an asylum in Ireland. He is said to have belonged to the family of the celebrated preacher of his name. Mr. Saurin was educated in the University of Dublin. It does not appear that he was distinguished by any signal proficiency, either in literature or in science. A collegiate reputation is not a necessary precursor to professional success. He was called to the Bar in the year 1780. His progress was slow, and for thirteen years he remained almost unknown. Conscious of his secret merits, he was not disheartened, and employed that interval in accumulating the stores of legal knowledge. He had few qualities, indeed, which were calculated to bring him into instantaneous notice. He

wrought his way with an obscure diligence, and, indeed, it was necessary that he should attain the light by a long process of exfoliation. To this day, there is too frequent an exhibition of boisterous ability at the Irish Bar; but in the olden time, the qualifications of a lawyer were measured in a great degree by his powers of vociferation. Mr. Saurin was imperfectly versed in the stentorian logic which prevailed in the roar of Irish Nisi Prius; neither had he the matchless imperturbability of front, to which the late Lord Clonmel was indebted for his brazen coronet; but his substantial deserts were sure to appear at last.

If he could not fly, he had the strength and the tenacity requisite to climb. His rivals were engaged in the pursuit of political distinction and oratorical renown; all his labours, as well as his predilections, were confined to his profession. While others were indulging in legislative meditations, he was buried in the common law. An acute observer would have seen in his unostentatious assiduity the omen of a tardy but secure success. A splendid intellect will, in all likelihood, ascend to permanent eminence, but the odds of good fortune are in favour of the less conspicuous faculties. Plunket and Saurin have risen to an equality in professional distinction; but when they both commenced their career, upon a sober calculation, the chances would have been found, I think, upon the side of the latter. Like the slow camel and the Arabian courser, both may be fitted to the desert; and, although the more aspiring and fleeter spirit may traverse in a shorter period the waste of hardships and discouragement which lies between it and success, while, with all its swiftness and alacrity, it requires an occasional relief from some

external source of refreshment and of hope: yet, bearing its restoratives in itself, the more slow and persevering mind pursues its progress with an unabated constancy, and often leaves its more rapid but less enduring competitor drooping far behind, and exhausted by the labours of its desolate and arid course.

After many years, of disappointment perhaps, but not of despondency, Mr. Saurin's name began to be whispered in the Hall. The little business with which he had been intrusted was discharged with such efficiency, that he gradually acquired a reputation for practical utility among the attorneys of the north. Many traits of the Scotch character are observable in the Presbyterian colony which was established in that part of Ireland; and their mutuality of support is among the honourable peculiarities which mark their origin from that patriotic and self-sustaining people. They may be said to advance under a testudo. It is remarked at the Irish Bar, that a northern attorney seldom employs a southern advocate. Mr. Saurin, though descended from a Gallic progenitor, had, I believe, some auspicious mixture of Caledonian blood (with a French face, he has a good deal of the Scotchman in his character); and that circumstance, together with the locality of his birth, gave him claims to the patronage of the attorneys of his circuit. Those arbiters of fortune recognised his merits. It was soon perceived by these sagacious persons, that a good argument is more valuable than a flower of speech, and that the lawyer who nonsuits the plaintiff is as efficacious as the advocate who draws tears from the jury. Mr. Saurin's habits of despatch were also a signal recommendation. To this day, under the pressure of various occupations, he is distinguished for

a regularity and promptitude, which are not often to be found among the attributes of the leading members of the Irish Bar. Most, indeed, of the more eminent advocates are "illustrious diners-out." It is provoking to see the fortunes of men hanging in miserable suspense upon their convivial procrastinations. Mr. Saurin still presents an exemplary contrast to these dilatory habits; and it is greatly creditable to him that he should persevere, from a sense of duty, in a practice which was originally adopted as a means of success.

The first occasion on which he appears to have grown into general notice, was afforded at a contested election. At that period, which was about sixteen years after he had been called to the Bar, a lawyer at an Irish election was almost a gladiator by profession; his pistols were the chief implements of reasoning to which he thought it necessary to resort. "Ratio ultima," the motto which the great Frederick caused to be engraven upon his cannon, would not have been an inappropriate designation of the conclusive arguments which were then so much in use in Hibernian dialectics. I am not aware, that Mr. Saurin was ever accounted an eminent professor in this school of logic: upon this occasion, however, he distinguished himself by qualifications very distinct from the barbarous accomplishments which bring intellect and dulness to such a disastrous level. His extensive and applicable knowledge, his dispassionate perspicuity, and minute precision, won him a concurrence of applause. He became known upon his circuit, and his fame soon after extended itself to the metropolis. His progress was as swiftly accelerated as it had previously been slow: every occasion on which he was employed furnished a new vent to his accumu-

lated information. He was at length fairly launched; and when once detached from the heavy incumbrances in which he had been involved, he made a rapid and conspicuous way; and it was soon perceived that he could carry more sail than gilded galliots which had started upon the full flood of popularity before him. He soon passed them by, and rode at last in that security which most of them were never destined to attain.

In the year 1798, Mr. Saurin was at the head of his profession, and was not only eminent for his talents, but added to their influence the weight of a high moral estimation. The political disasters of the country furnished evidence of the high respect in which he was held by the members of his own body. The rebellion broke out, and the genius of loyalty martialized the various classes of the community. The good citizens of Dublin were submitted to a somewhat fantastic metamorphosis: the Gilpins of the metropolis, to the delighted wonder of their wives and daughters, were travestied into scarlet, and strutted, in grim importance and ferocious security, in the uneasy accoutrements of a bloodless warfare. The love of glory became contagious, and the attorneys, solicitors, and six-clerks, felt the intense novelty of its charms.

The Bar could not fail to participate in the ecstasy of patriotism: the boast of Cicero became inverted in this access of forensic soldiership, and every Drances, "loud in debate and bold in peaceful council," was suddenly transformed into a warrior. The "toga'd counsel" exhibited a spectacle at once ludicrous and lamentable; —Justice was stripped of her august ceremony and her reverend forms, and joining in this grand political

masquerade, attired herself in the garb, and feebly imitated the aspect, of Bellona. The ordinary business of the courts of law was discharged by barristers in regimentals;—the plume nodded over the green spectacle—the bag was transmuted into the cartridge-pouch—the flowing and full-bottomed wig was exchanged for the casque;—the chest, which years of study had bent into a professional stoop, was straightened in a stiff imprisonment of red;—the flexible neck, which had been stretched in the distension of vituperative harangue, was enclosed in a high and rigid collar. The disputatious and dingy features of every minute and withered sophist were swollen into an unnatural bigness and burliness of look;—the strut of the mercenary Hessian,* who realized the *beau ideal* of martial ferocity, was mimicked in the slouching gait which had been acquired by years of unoccupied perambulation in the Hall;—limbs, habituated to yielding silk, were locked in buff;—the *reveillé* superseded the shrill voice of the crier—the disquisitions of pleaders were "horribly stuffed with epithets of war;"—the bayonet lay beside the pen, and the musquet was collateral to the brief.

Yet, with all this innovation upon their ordinary habits, the Bar could not pass all at once into a total desuetude of their more natural tendencies, and exhibited a relapse into their professional predilections in the choice of their leader. The athletic nobleness of figure for which Mr. Magrath, for instance, is conspicuous, did not obtain their suffrages; a grenadier proportion of fame, and a physical pre-eminence of height, were not

* The Hessians were a body of German troops who served in Ireland in 1798; the Government, no doubt, placed greater confidence in these *condottieri* than in the native regiments.

the merits which decided their preference; they chose Mr. Saurin for his intellectual stature; and in selecting a gentleman, in whom I am at a loss to discover one glance of the *"coup-d'œil militaire,"* and whose aspect is among the most unsoldierlike I have ever witnessed, they offered him an honourable testimony of the great esteem in which he was held by his profession. He was thus, in some degree, recognised as the head of the body to which he belonged. His conduct, as chief of the lawyer's corps, was patriotic and discreet. He manifested none of those religious antipathies by which he has been since unhappily distinguished;—he had no share, either in the infliction of, or the equivalent connivance at, that system of inquisitorial excruciation, which, on whosoever head the guilt ought to lie, did unquestionably exist.* His hands do not smell of blood; and though a series of unhappy incidents has since thrown him into the arms of the Orange faction, to which he has been rather driven by the rash rancour of his antagonists, than allured through the genuine tendencies of his nature, in that period of civil commotion he discountenanced the excesses of the party who now claim him as their own.

With all his present Toryism, he appears to have been then a Whig; and the republican tinge of his opinions was brought out in the great event which succeeded the rebellion, and to which the Government was aware that it would inevitably lead. If they did not kindle, they allowed the fire to rage on; and they thought, and perhaps with justice, that it would furnish a lurid light by which the rents and chasms in the

* Mr. Saurin, during the Rebellion, has been seen to strike a drummer of his corps for wearing an orange cockade.—A.

ruinous and ill-constructed fabric of the Irish Legislature would be more widely exposed. To repair such a crazy and rotten building, many think, was impossible. It was necessary that it should be thrown down, —but the name of Country (and there is a charm even in a name) has been buried in the fall.

The union was proposed, and Mr. Saurin threw himself into an indignant opposition to the measure, which he considered fatal to Ireland. He called the Bar together; and upon his motion, a resolution was passed by a great majority, protesting against the merging of the country in the imperial amalgamation. He was elected a member of the House of Commons, and his appearance in that profligate convention was hailed by Mr. Grattan, who set the highest value upon his accescession to the national cause.* Of eloquence there was already a redundant supply. Genius abounded in the ranks of the patriots—they were ardent, devoted, and inspired. Mr. Saurin reinforced them with his more Spartan qualities. Grave and sincere, regarded as a great constitutional lawyer—the peculiar representative of his own profession—a true, but unimpas-

* Mr. Saurin sat for the borough of Blessington, one of the many Irish Gattons extinguished by the Union, and spoke twice in opposition to that measure, on the debate on the 5th Feb. 1800, and more at large and effectively on the 21st of the same month. The former speech contains evidence of the high place he then occupied at the bar. "It should be remembered," he said, "that the profession of which I am a member has expressed itself decidedly against the measure, and your incompetency to entertain it. From the rank I hold in that profession, many of my friends thought it might be conducive to the public cause that I should appear in this house to give the proposition of a union a decided negative." The point Mr. Saurin chiefly relied on was, that the question was not one which the House of Commons was competent to decide, without a previous express appeal to the constituencies.

sioned lover of his country, and as likely to consult her permanent interests as to cherish a romantic attachment to her dignity—he rose in the House of Commons, attended with a great concurrence of impressive circumstance. He addressed himself to great principles, and took his ground upon the broad foundations of legislative right. His more splendid allies rushed among the ranks of their adversaries, and dealt their sweeping invective about them; while Saurin, in an iron and somewhat rusty armour, and wielding more massive and ponderous weapons, stood like a sturdy sentinel before the gates of the constitution. Simple and elementary positions were enforced by him with a strenuous conviction of their truth. He denied the right of the legislature to alienate its sacred trust. He insisted that it would amount to a forfeiture of that estate which was derived from, and held under, the people in whom the reversion must perpetually remain; that they were bound to consult the will of the majority of the nation, and that the will of that majority was the foundation of all law. Generous sentiments, uttered with honest fervency, are important constituents of eloquence; and Mr. Saurin acquired the fame of a distinguished speaker.

His language was not flowing or abundant—there was no soaring in his thought, nor majesty in his elocution; but he was clear and manly: there was a plain vigour about him. Thought started through his diction; it wanted roundness and colour, but it was muscular and strong. It was not "pinguitudine nitescens." If it were deficient in bloom and fulness, it had not a greasy and plethoric gloss; it derived advantages from the absence of decoration, for its nakedness became the

simplicity of primitive truth. Mr. Saurin obtained a well-merited popularity. His efforts were strenuous and unremitted; but what could they avail? The minister had an easy task to perform:—there was, at first, a show of coyness in the prostitute venality of the majority of the House; it only required an increased ardour of solicitation, and a more fervent pressure of the "itching palm."

No man understood the arts of parliamentary seduction better than Lord Castlereagh. He succeeded to the full extent of his undertaking, and raised himself to the highest point of ambition to which a subject can aspire. But those who had listened to his blandishments, found, in the emptiness of title, and in the baseness of pecuniary reward, an inadequate compensation for the loss of personal consequence which they eventually sustained. In place of the reciprocal advantages which they might have imparted and received, by spending their fortunes in the metropolis of their own country, such among them as are now exported in the capacity of representatives from Ireland are lost in utter insignificance. Instead of occupying the magnificent mansions which are now falling into decay, they are domiciliated in second stories of the lanes and alleys in the vicinity of St. Stephen's. They may be seen every evening at Bellamy's, digesting their solitary meal, until "the whipper-in" has aroused them to the only purpose for which their existence is recognized; or in the House itself, verifying the prophetic description of Curran, by "sleeping in their collars under the manger of the British minister."

The case is still worse with the anomalous nobility of the Irish peer. There is a sorry mockery in the title,

which is almost a badge, as it is a product, of his disgrace. He bears it as the snail does the painted shell elaborated from its slime. His family are scarcely admitted among the aristocracy, and, when admitted, it is only to be scorned. It requires the nicest exercise of subtle stratagem, and the suppression of every feeling of pride, on the part of an Irish lady, to effect her way into the great patrician *coteries*. The scene which Miss Edgeworth has so admirably described at the saloon of the Opera-house, in which the Irish countess solicits the haughty recognition of the English duchess, is of nightly recurrence. Even great talents are not exempted from this spirit of national depreciation. Mr. Grattan himself never enjoyed the full dignity which ought, in every country, to have been an appanage to his genius. As to Lord Clare, he died of a broken heart. The Duke of Bedford crushed the plebeian peer with a single tread. What, then, must be the case with the inferior class of Irish senators; and how must they repine at the suicidal act with which, in their madness, they were tempted to annihilate their existence!

I have dwelt upon the results of the Union, as it affected individual importance, because Mr. Saurin appears to have been sensible of them, and to have acted upon that sense. He has never since that event set his foot upon the English shore. He was well aware that he should disappear in the modern Babylon; and with the worldly sagacity by which he is characterized, when his country lost her national importance, he preferred to the lacqueying of the English aristocracy the enjoyment of such provincial influence as may be still obtained in Ireland. Mr. Plunket resigned the situation

of Attorney-General in 1807. It was offered to Mr. Saurin, who accepted it. This office is, perhaps, the most powerful in Ireland: it is attended with great patronage, emolument, and authority. The Attorney-General appoints the judges of the land, and nominates to those multitudinous places with which the Government has succeeded in subduing the naturally democratic tendencies of the Bar. Every measure in any way connected with the administration of justice originates with him. In England, the Attorney-General is consulted upon the law. In Ireland, he is almost the law itself: he not only approves, but he directs. The personal character of Mr. Saurin gave him an additional sway. He gained a great individual ascendancy over the mind of the Lord Chancellor [Lord Manners]. In the Castle Cabinet, he was almost supreme; and his authority was the more readily submitted to, as it was exercised without being displayed. He was speedily furnished with much melancholy occasion to put his power into action.

The Catholic Board assumed a burlesque attitude of defiance; the press became every day more violent; the newspapers were tissues of libels, in the legal sense of the word, for they were envenomed with the most deleterious truth. Prosecutions were instituted and conducted by Mr. Saurin: an ebullition of popular resentment was the result, and reciprocal animosity was engendered out of mutual recrimination. The orators were furious upon one hand, and Mr. Saurin became enraged upon the other. His real character was disclosed in the collision. He was abused, I admit, and vilified. The foulest accusations were emptied, from their aërial abodes, by pamphleteers, upon his

head. The authors of the garret discharged their vituperations upon him. It was natural that he should get into bad odour: but wedded as he was to the public interests, he should have borne these aspersions of the popular anger with a more Socratic temper; unhappily, however, he was infected by this shrewish spirit, and took to scolding. In his public speeches a weak virulence and spite were manifested, which, in such a man, was deeply to be deplored. Much of the blame ought, perhaps, to attach to those who baited him into fury; and it is not greatly to be regretted that many of them were gored and tossed in this ferocious contest. The original charges brought against him were unjust; but the vehemence with which they were retorted, as well as repelled, divested them, in some degree, of their calumnious quality, and exemplified their truth. Mr. Saurin should have recollected, that he had at one time given utterance to language nearly as intemperate himself, and had laid down the same principles with a view to a distinct application. He had harangued upon the will of the majority, and he forgot that it was constituted by the Papists. On a sudden he was converted, from a previous neutrality, into the most violent opponent of Roman Catholic emancipation.

I entertain little doubt that his hostility was fully as personal as it was constitutional. There appears to be a great inconsistency between his horror of the Union and of the Catholics. They are as seven to one in the immense population of Ireland; and when they are debased by political disqualification, it can only be justified upon the ground that it promotes the interests

of the Empire. But Mr. Saurin discarded the idea of making a sacrifice of Ireland to imperial considerations, when the benefits of the Union were pointed out. I fear, also, that he wants magnanimity, and that his antipathies are influenced, in part, by his domestic recollections. His ancestors were persecuted in France, but his gratitude to the country in which they found a refuge, should have suppressed any inclination to retaliate upon the religion of the majority of its people. I shall not expatiate upon the various incidents which distinguished this period of forensic turmoil. Suffice it to say, that Mr. Saurin obtained verdicts of condemnation.* But his high character and his peace of mind were affected by his ignominious success. He grew into an object of national distaste. His own personal dispositions, which are naturally kind and good, were materially deteriorated. Every man at the Bar, with liberal opinions on the Catholic question, was regarded by him with dislike. A single popular sentiment was a disqualification for place.

But let me turn from the less favourable points of his character. This censure should be qualified by large commendation. His patronage was confined to his party, but it was honourably exercised. Those whom he advanced were able and honest men. The sources of justice were never vitiated by any unworthy preferences upon his part. Neither did he lavish emolument on his own family. In the list of pensioners the name of Saurin does not often bear attestation to his power. I should add to his other merits, his

* See the paper entitled "Catholic Leaders and Associations."

unaffected modesty. He has always been easy, accessible, and simple. He had none of the "morgue aristocratique," nor the least touch of official superciliousness on his brow.

Mr. Saurin, as Attorney-General, may be said to have governed Ireland for fifteen years; but, at the moment when he seemed to have taken the firmest stand upon the height of his authority, he was precipitated to the ground. The Grenvilles joined the minister. It was stipulated that Mr. Plunket should be restored to his former office. Mr. Saurin was offered the place of Chief Justice of the King's Bench, which, in a fit of splenetic vexation, he had the folly to refuse. The new local government did not give him a moment for repentance, and he was thrown at once from the summit of his power. There was not a single intervening circumstance to break his precipitous descent, and he was stunned, if not shattered, in the fall. He might, however, have expected it; he had no political connexions to sustain him. He is married, indeed, to a sister of the Marquis of Thomond; but that alliance was a feeble obstacle to the movement of a great party. His official friends immolated him to exigency; but they would have sacrificed him to convenience. The only man in power, perhaps, who personally lamented his ill-usage, was Lord Manners: and even his Lordship was aware, for six months before, of the intended change, and never disclosed it to him in their diurnal walks to the Hall of the Four Courts. This suppression Mr. Saurin afterwards resented; but, upon a declaration from his friend that he was influenced by a regard for his feelings, they were reconciled. He

did not choose to warn him, at the banquet, of the sword that he saw suspended over his head.

He is now plain Mr. Saurin again, and he bears this reverse with a great deal of apparent, and some real fortitude.* When he was first deprived of his office, I watched him in the Hall. The public eye was upon him; and the consciousness of general observation in calamity inflicts peculiar pain. The joyous alacrity of Plunket was less a matter of comment than the resigned demeanour of his fallen rival. Richard was as much gazed at as Bolingbroke. It was said by most of those who saw him, that he looked as cheerful as ever. In fact, he looked more cheerful, and that appeared to me to give evidence of the constraint which he put upon himself. There was a forced hilarity about him—he wore an alertness and vivacity, which were not made for his temperament;—his genuine smile is flexible and easy; but upon this occasion it lingered with a mechanical procrastination upon the lips, which showed that it did not take its origin at the heart. There was also too ready a proffer of the hand to his old friends, who gave him a warm but a silent squeeze. I thought him a subject for study, and followed him into the Court of Chancery. He discharged his business with more than his accustomed diligence and skill; —but when his part was done, and he bent his head

* Mr. Saurin never held office again. He died in 1839. The long tenure by Mr. Saurin and Mr. Bushe of the principal law-offices under the Crown in Ireland is a remarkable fact in the history of the Bar. The former was Attorney-General for fifteen years; the latter Solicitor for nearly seventeen. In the same number of years since 1822 the same offices changed hands nine or ten times.

over a huge brief, the pages of which he seemed to turn without a consciousness of their contents, I have heard him heave at intervals a low sigh. When he returned again to the Hall, I have observed him in a moment of professional leisure while he was busied with his own solitary thoughts, and I could perceive a gradual languor stealing over the melancholy mirth which he had been personating before. His figure, too, was bent and depressed, as he walked back to the Court of Chancery; and before he passed through the green curtains which divide it from the Hall, I have seen him pause for an instant, and throw a look at the King's Bench. It was momentary, but too full of expression to be casual, and seemed to unite in its despondency a deep sense of the wrong which he had sustained from his friends, and the more painful injury which he had inflicted upon himself.

If Rembrandt were living in our times, he should paint a portrait of Saurin: his countenance and deportment would afford an appropriate subject to the shadowy pencil of that great artist. There should be no gradual melting of colours into each other—there should be no softness of touch, and no nice variety of hue; there should be no sky—no flowers—no drapery—no marble: but a grave and sober-minded man should stand upon the canvass, with the greater proportion of his figure in opacity and shadow, and with a strong line of light breaking through a monastic window upon his corrugated brow. His countenance is less serene than tranquil; it has much deliberate consideration, but little depth or wisdom; its whole expression is peculiarly quiet and subdued.

His eye is black and wily, and glitters under the mass of a rugged and shaggy eye-brow. There is a certain sweetness in its glance, somewhat at variance with the general indications of character which are conveyed in his look. His forehead is thoughtful, but neither bold nor lofty. It is furrowed by long study and recent care. There is a want of intellectual elevation in his aspect, but he has a cautious shrewdness and a discriminating perspicacity. With much affability and good-nature about the mouth, in the play of its minuter expression, a sedate and permanent vindictiveness may readily be found. His features are broad and deeply founded, but they are not blunt; without being destitute of proportion, they are not finished with delicacy or point. His dress is like his manners, perfectly plain, and remarkable for its neat propriety. He is wholly free from vulgarity, and quite denuded of accomplishment. He is of the middle size, and his frame, like his mind, is compact and well knit together. There is an intimation of slowness and suspicion in his movements, and the spirit of caution seems to regulate his gait. He has nothing of the Catilinarian walk, and it might be readily conjectured that he was not destined for a conspirator.* His whole demeanour bespeaks neither dignity nor meanness. There is no fraud about him; but there is a disguise of his emotions which borders upon guile. His passions are violent, and are rather covered than suppressed: they have little effect upon his exterior—the iron stove scarcely glows with the intensity of its internal fire.

He looks altogether a worldly and sagacious man—

* "Citus modo, modo tardus incessus."

sly, cunning, and considerate—not ungenerous, but by no means exalted—with some sentiment, and no sensibility: kind in his impulses, and warped by involuntary prejudice: gifted with the power of dissembling his own feelings, rather than of assuming the character of other men: more acute than comprehensive, and subtle than refined: a man of point and of detail: no adventurer, either in conduct or speculation: a lover of usage, and an enemy to innovation: perfectly simple and unaffected: one who can bear adversity well and prosperity still better: a little downcast in ill-fortune, and not at all supercilious in success: something of a republican by nature, but fashioned by circumstances into a tory: moral, but not pious: decent, but not devout: honourable, but not chivalrous: affectionate, but not tender: a man who could go far to serve a friend, and a good way to hurt a foe: and, take him for all in all, an useful and estimable member of society.

I have mentioned his French origin, and it is legibly expressed in his lineaments and hue. In other countries, one national physiognomy prevails through the mass of the people. In every district, and in every class, we meet with a single character of face. But in Ireland, the imperfect grafting of colonization is easily perceived, in the great variety of countenance which is everywhere to be found: the notches are easily discerned upon the original stock. The Dane of Kildare is known by his erect form, his sanded complexion, his blue and independent eye, and the fairness of his rich and flowing hair. The Spaniard in the west, shows among the dominions of Mr. Martin, his swarthy

features and his black Andalusian eye.* A Presbyterian church in the north exhibits a quadrangular breadth of jaw-bone, and a shrewd sagacity of look in its calculating and moral congregation, which the best Baillie in Glasgow would not disown. Upon the southern mountain and in the morass, the wild and haggard face of the aboriginal Irishman is thrust upon the traveller, through the aperture in his habitation of mud which pays the double debt of a chimney and a door. His red and strongly curled hair, his angry and courageous eye, his short and blunted features, thrown at hazard into his countenance, and that fantastic compound of intrepidity and cunning, of daring and of treachery, of generosity and of falsehood, of fierceness and of humour, of absurdity and genius, which is conveyed in his expression, is not inappropriately discovered in the midst of crags and bogs, and through the medium of smoke. When he descends into the city, this barbarian of art (for he has been made so by the landlord and the law—nature never intended him to be so) presents a singular contrast to the high forehead, the regular features, and the pure complexion of the English settler.

* Connemara, an estate of an extent almost to justify the name of a little kingdom. The reader will recollect Moore's happy parody of "Pone me pigris," &c.—

"Place me midst O'Rourkes, O'Tooles,
The ragged royal house of Tara;
Place me where Dick Martin rules
The houseless wilds of Connemara," &c.

But like greater empires, that of the Martins has crumbled away since Moore sang and Sheil wrote. It has lately been put up to auction, and will probably be partitioned like Poland.

To revert to Mr. Saurin, (from whom I ought not, perhaps, to have deviated so far), there is still greater distinctness, as should be the case, from their proximity to their source, in the descendants from the French Protestants who obtained an asylum in Ireland. The Huguenot is stamped upon them; I can read in their faces not only the relics of their country, but of their religion. They are not only Frenchmen in colour, but Calvinists in expression. They are serious, grave, and almost sombre, and have even a shade of fanaticism diffused over the worldliness by which they are practically characterised. Mr. Saurin is no fanatic; on the contrary, I believe that his only test of the true religion, is the law of the land. He does not belong to the "Saint party," nor is he known by the sanctimonious avidity which that pious and rapacious body is distinguished by at the Irish Bar. Still there is a touch of John Calvin upon him, and he looks the fac-simile of an old Protestant professor of logic whom I remember to have seen in one of the colleges at Nismes.

I have enlarged upon the figure and aspect of this eminent barrister, because they intimate much of his mind. In his capacity as an advocate in a court of equity, he deserves great encomium. He is not a great case-lawyer. He is not like Sergeant Lefroy, an ambulatory index of discordant names; he is stored with knowledge; principle is not merely deposited in his memory, but inlaid and tesselated in his mind; it enters into his habitual thinking. No man is better versed in the art of putting facts: he brings with a peculiar felicity and skill the favourable parts of his client's case into prominence, and shews still greater

acuteness in suppressing or glossing over whatever may be prejudicial to his interests. He invests the most hopeless, and I will even add, the most dishonest cause, with a most deceitful plausibility; and the total absence of all effort, and the ease and apparent sincerity of his manner, give him at times a superiority even to Plunket himself, who, by the energy into which he is hurried at moments by his more ardent and eloquent temperament, creates a suspicion that it must be a bad cause which requires so much display of power. In hearing the latter, you are perpetually thinking of him and his faculties; in hearing Saurin, you remember nothing but the cause—he disappears in the facts.

Saurin also shows singular tact in the management of the Court. The Lord Chancellor is actually bewildered by Plunket; it is from his Lordship's premises that he argues against him; he entangles him in a net of sophistry wrought out of his own suggestion. This is not very agreeable to human vanity, and Chancellors are men. Saurin, on the other hand, accommodates himself to every view of the Court. He gently and insensibly conducts his Lordship to a conclusion—Plunket precipitates him into it at once. But Lord Manners struggles hard upon the brink, and often escapes from his grasp. In this facility of adaptation to the previous opinions and character of the judge whom he addresses, I consider Saurin as perhaps the most useful advocate in the Court of Chancery; at the same time, in reach of thought, variety of attribute, versatility of resource, and power of diction, he is far inferior to his distinguished successor in office. But Plunket is a senator and a statesman, and Saurin is a

lawyer—not a mere one indeed; but the legal faculty is greatly predominant in his mind. His leisure has never been dedicated to the acquisition of scientific knowledge, nor has he sought a relaxation from his severer occupations in the softness of the politer arts. His earliest tastes and predilections were always in coincidence with his profession. Free from all literary addiction, he not only did not listen to, but never heard, the solicitations of the Muse. Men with the strongest passion for higher and more elegant enjoyments have frequently repressed that tendency, from a fear that it might lead them from the pursuit of more substantial objects. But it was not necessary that Mr. Saurin should stop his ears against the voice of the syren—he was born deaf to her enchantments.

I believe that this was a sort of good fortune in his nature. Literary accomplishments are often of prejudice, and very seldom of any utility, at the Bar. The profession itself may occasionally afford a respite from its more rigid avocations, and invite of its own accord to a temporary deviation from its more dreary pursuits. There are moments in which a familiarity with the great models of eloquence and of high thinking may be converted into use. But a lawyer like Mr. Saurin will think, and wisely perhaps, that the acquisition of the embellishing faculties is seldom attended with a sufficiently frequent opportunity for their display, to compensate for the dangers of the deviation which they require from the straightforward road to professional eminence, and will pursue his progress like the American traveller, who, in journeying through his

vast prairies, passes, without regard, the fertile landscapes which occasionally lie adjacent to his way, and never turns from his track for the sake of the rich fruits and the refreshing springs of those romantic recesses, which, however delicious they may appear, may bewilder him in a wilderness of sweets, and lead him for ever astray from the final object of his destination.

MR. JOY.

[JUNE, 1823.]

"For do but mark the jeers and notable scorns
That live in every region of his face."

SHAKSPEARE.

MR. JOY, the present Solicitor-General for Ireland, and the anti-papistical associate in office of the chief advocate of the Roman Catholic claims, is the son of a literary man, who was the editor of a newspaper in Belfast. To the violent spirit which characterised the democratic lucubrations of the father, I am inclined to attribute a mistake into which the public have fallen with respect to the juvenile propensities of the son. The Solicitor-General is commonly considered to have been addicted to liberal principles in his early life, and has been reproached with having started a patriot. But whiggism is not a family disorder, nor have I been able to discover any grounds for thinking that Mr. Joy was at any time the professor of opinions at variance with his present political creed. Since he was called to the Bar, which was in the year 1788, I cannot find a single deviation in his conduct from the path of obvious pru-

dence, which his instinctive tendencies would naturally have led him to adopt, and to which his matured experience must have instructed him to adhere. It required little sagacity to perceive that by allying himself with the religious and aristocratic passions of the prosperous faction, he was much more likely to attain distinction, than by any chivalrous dedication of his abilities to a more noble, but unrequiting cause.

Had he had the misfortune to inherit so sterile and unprofitable a patrimony as the love of Ireland, he might still, perhaps, have risen to eminence and honour. But his success would have been achieved in despite of his principles. By choosing a different course he has succeeded through them. Instead of the difficult and laborious path by which so few have won their way, and which is filled not only with obstacles but thorns, he selected the smoother road, the progress in which is as easy as it is sure—which is thronged by crowds, who, instead of impeding individual advancement, sustain and bear each other on—and which not only leads with more directness to a splendid elevation, but is bordered with many fertile and rich retreats, in which those who are either unable or unwilling to prosecute their journey to the more distant and shining objects to which it conducts at last, are certain of finding an adjacent place of secure and permanent repose. In this inviting path, the weak and the incapable may sit down in ease and luxury, even in the lowest gradations of ascent; while the more vigorous and aspiring receive an impulse from the very ground they tread, and are hurried rapidly along. Mr. Joy could not fail to see the advantages of this accelerating course, nor do I impute much blame to him for having yielded to its allurements. He has, per-

haps, acted from that kind of artificial conviction, into which the mind of an honourable man may at last succeed in torturing itself. Conscience, like every other judge, may be misled, and there is no advocate so eloquent as self-interest before that high, but not infallible tribunal.

Whatever were his motives in choosing this judicious though not very exalted course, Mr. Joy soon distinguished himself by his zeal in his vocation, and became prominent among the staunch Tories at the bar. He displayed in its fullest force that sort of sophisticated loyalty, of which vehement Protestants are in the habit of making a boastful profession in Ireland, and carried the supererogatory sentiment into practice, even at the convivial meetings of the bar. A lawyer, who has since risen to considerable distinction, and whose youth was encompassed by calamities, which it required a rare combination of talents and of fortitude to surmount, was selected by Mr. Joy for an early manifestation of his devotedness to the cause, which it required no very high spirit of prophecy to foresee would be ultimately canonized by success. It was upon the motion of Mr. Joy, that the barrister to whom I allude was expelled, for his republican tendencies, from the bar-mess of the North-east Circuit. In recommending so very rigorous a measure, he gave proof of his earnestness and of his good taste. The expulsion of an associate, whom an almost daily intercourse ought to have invested with at least the semblances of friendship, afforded abundant evidence of the sincerity of the emotion with which he was influenced, while his discrimination was approved, by marking a man out for ruin, whose endowments were sufficiently conspicuous to direct the general atten-

tion, not only to the peculiar victim that suffered in the sacrifice, but to the priest who presided at the immolation.*

This unequivocal exhibition of enthusiastic loyalty was followed by other instances of equally devoted and not more disinterested attachment to the government, and Mr. Joy gradually grew into the favour of those who are the distributors of honour and of emolument at the Bar. He did not, however, abuse the predilections of authority for any mean or inglorious purpose. He is, I believe, unsullied by any sordid passion; and whatever may be his faults, avarice is not among them. He has never been an occupant of any one of the paltry offices at the Bar, to the invention of which the genius of Irish Secretaries is unremittingly applied. Aiming at loftier objects, he preserved a character for independence, by abstaining from solicitation. It would be tedious to trace his progress through the various stages of professional success which conduct to celebrity at last. A lawyer advances by movements almost imperceptible, from obscurity into note, and from note to fame; and would find it difficult to ascribe with certainty the consummation of his success to any direct or immediate cause. It is by a continued series of meritorious effort and of fortunate event, that eminence is to be attained at the Bar.

I pass by the many years of labour in which Mr. Joy,

* The Editor has strong reasons for believing that Mr. Sheil was not accurately informed of the circumstances connected with the occurrence here alluded to. Mr. Joy was no doubt a zealous member of the party which in those days affected to be exclusively loyal; but the proceeding of the north-east bar was in consequence of a resolution to exclude all who had not been members of the Lawyers' Corps in the Yeomanry of 1798.

in obedience to the destinies of his profession, must have expended the flower of his life, and lead him directly to the administration of Mr. Saurin. That gentleman, the Coryphæus of the Orange party, formed for Mr. Joy a strong political partiality. He found in Mr. Joy the cardinal virtue, which, in his opinion, is the hinge of all integrity and honour, and in the absence of which the highest genius and the deepest knowledge are wholly without avail. With the ex-Attorney-General, Orangeism in politics has all the efficacy of charity in religion, and in the person of Mr. Joy, he found many conspicuous qualities set-off by the full lustre of Protestantism.

This community of sentiment engendered a virulent sympathy between them. Mr. Joy was appointed one of the three Sergeants, who take precedence after the Attorney and Solicitor-General, and enjoy a sort of customary right to promotion on the Bench. Even before they are raised to the judicial station, they occasionally act in lieu of any of the judges, who may happen to be prevented by illness from going the circuit. The malady of a judge, to such an extent of incapacity, is not, however, of very frequent occurrence. A deduction from his salary, to the amount of four hundred pounds, is inflicted as a sort of penalty, in every instance in which he declines attending the assizes, and the expedient has been found peculiarly sanative. It not unfrequently happens that one of the twelve sages, who has lain almost dead during the term, at the sound of the circuit-trumpet, starts as it were into a judicial resurrection, and, preceded by the gorgeous procession of bum-bailiffs, bears his cadaverous attestation through the land, to the miraculous agency of the King's com-

mission. However it does upon occasion happen, that this restorative, powerful as it is, loses its preternatural operation, and one of the sergeants is called upon to take the place of any of the ermined dignitaries of the Bench, who does not require the certificate of a physician to satisfy the public of the reality of his venerable ailments.

This proximity to the Bench gives a Sergeant considerable weight. In raising Mr. Joy to an office which affords so many honourable anticipations, Mr. Saurin must have been sensible that he added to his personal influence by the elevation of so unqualified an adherent to the party of which he was the head. Mr. Joy had, besides, a high individual rank. Before his promotion his business was considerable, and it afterwards rapidly increased. It was principally augmented in chancery, where pre-audience is of the utmost moment. Lord Manners is disposed to allow too deep a permanence to the earliest impression, and whoever first addresses him has the odds in his favour. The enjoyment of priority swelled the bag of Mr. Joy, which was soon distended into an equality with that of the present Chief-justice, Mr. Bushe.

That great advocate found in Mr. Joy a dangerous competitor. The latter was generally supposed to be more profoundly read, and the abstract principles of equity were traced by sagacious solicitors in the folds and furrows of his brow. The eloquence of Bushe was little appreciated by men who thought that, because they had been delighted, they ought not to have been convinced. Joy had a more logical aspect in the eyes of those who conceive that genius affords *primâ facie* evidence against knowledge, and grew into a gradual

preference at the chancery bar. It was no light recommendation to him that he was the *protégé* of Saurin, who could not bring himself to forgive the liberalism of his colleague, and was not unwilling to assist the prosperous competition of his more Protestant *élève*. His strenuous protection gave strong reasons to Bushe to tremble at Mr. Joy's pretensions to the highest seat upon the Bench. Bushe had himself declined the office of a puisne judge, in the just expectation of attaining to that which he at present occupies in a manner so useful to the country and so creditable to himself. But he was doomed to the endurance of a long interval of suspense before his present fortunate, and I may even call it, accidental elevation. He had been already sufficiently annoyed by the perverse longevity of Lord Norbury, and the no less vexatious hesitations of Lord Downes, who tortured him for years with the judicial coquetry of affected resignation. But the appearance of another candidate for the object of his protracted aspirations had well nigh broken his spirit and reduced him to despair.

It was at one time quite notorious, that if a vacancy had occurred in the chief-justiceship of the King's-bench, Saurin would have exercised his influence in behalf of his favourite; and it was almost equally certain that his influence would have prevailed. In the general notion Joy was soon to preside in the room of Downes, and his own demeanour tended not a little to confirm it. The auspices of success were assembled in his aspect, as conspicuously as the omens of disaster were collected in the bearing of Mr. Bushe. The latter exhibited all the most painful symptoms of the malady of procrastinated hope. The natural buoyancy of his

spirit sunk under the oppressive and accumulating solicitude that weighed upon him. Conscious of the power of our emotions, and of the readiness with which they break into external results, he was ever on his guard against them. He well knew how speedily misfortune is detected by the vulgar and heartless crowd we call the world, and made every effort to rescue himself from their ignominious commiseration. To escape from a sentiment which is so closely connected with contempt, he wrought himself at moments into a wild and feverish hilarity: but the care that consumes the heart, manifested itself in despite of all his efforts to conceal it. His bursts of high-wrought joyousness were speedily followed by the depression which usually succeeds to an unnatural inebriation of the mind: his eyes used to be fixed in a heavy and abstracted glare; his face was suffused with a murky and unwholesome red,—melancholy seemed to "bake his blood." He was vacant when disengaged, and impatient when occupied, and every external circumstance about him attested the workings of solicitude that were going on within.

It was truly distressing to see this eloquent, high-minded, and generous man, dying of the ague of expectation, and alternately shivering with wretched disappointment, and inflamed with miserable hope. Joy, on the other hand, displayed all the characteristics of prosperity, and would have been set down by the most casual observer as a peculiarly successful man. An air of good fortune was spread around him: it breathed from his face, and was diffused over all that he said and did. His eyes twinkled with the pride of authority. His brow assumed by anticipation the solemnity of the judicial cast;—he seemed to rehearse the part of chief-

justice, and to be already half-seated on the highest place upon the Bench. But suddenly it was plucked from beneath him—Lord Wellesley arrived—Saurin was precipitated from his office. In a paroxysm of distempered magnanimity he disdained to accept the first judicial station, and Bushe, to his own astonishment, grasped in permanence and security that object of half his life, which had appeared so long to fly from his pursuit, and, just before the instant of its attainment, seemed, like a phantasm, to have receded from his reach for ever. Bushe is now chief-justice of the King's-bench; and that he may long continue to preside there is the wish of every man by whom indiscriminate urbanity to the Bar, unremitting attention to the duties of his office, and a perfect competence to their discharge—the purest impartiality and a most noble intellect—are held in value.

Notwithstanding that the Bench was withdrawn from Mr. Joy, while he was almost in the attitude of seating himself upon it, he did not fall to the ground. Bushe's promotion left a vacancy in the office of Solicitor-General, and it was tendered to Mr. Joy. This was considered a little singular, as his opinions were well known to be exactly opposite to those of the new Attorney-General, Mr. Plunket. That circumstance, however, so far from being a ground of objection, was, I am inclined to think, a principal motive for submitting the vacant place to his acceptance. It had been resolved to compound all parties together. The more repulsive the ingredients, the better fitted they were for the somewhat empirical process of conciliation, with which Lord Wellesley had undertaken to mix them up together. The government being itself an

anomaly—"a thing of shreds and patches,"—it was only consistent that the legal department should be equally heterogeneous. To this sagacious project, the conjunction of two persons who differ so widely from each other as Mr. Plunket and Mr. Joy, is to be attributed.* The latter was blamed by many of his friends for the promptitude with which he allied himself to the new administration, for he did not affect the coyness which is usually illustrated by a proverbial reference to clerical ambition. He was well aware that if he indulged in the mockery of a refusal, amidst the rapid fluctuations of an undecided government, he might endanger the ultimate possession of so valuable an office. He did not put on any virgin reluctances, nor seem "fearful of his wishes," but embraced the fair opportunity with a genuine and unaffected ardour.

The strangeness of this coalition, between men of principles so directly opposite, was speedily illustrated. The trial of the Orangemen for the famous theatrical riot brought the incoherences of the system into full relief. M. Joy was well known to coincide with the loyal delinquents upon the abstract question of ascendancy, with as cordial a warmth as the natural tranquillity of his temperament would permit; and however he might have disapproved of the expedient by which their ferocious passion for the constitution was evinced, it was impossible that he should regard the excesses,

* The "conciliation" system, as it was called in the days of Lord Wellesley, has a sort of parallel and off-shoot in the present times in the practice of balancing a Protestant against a Catholic, or a Catholic against a Protestant, in the Irish law appointments, particularly those of Attorney and Solicitor-General. When such a system works well, it can only be by accident. It is manifestly vicious in principle.

in which their barbarous loyalty was exemplified, with any very vehement indignation. We extend an unavoidable sympathy to the errors which arise from a superabundance of those emotions in which we ourselves participate. The official duty of Mr. Joy prescribed to him a course from which he must have recoiled; and it was necessary to spur him onward where another would have required the rein.

The Attorney-General was sensible of the peculiarity of his condition, and determined to urge him, if possible, into a more cordial alliance with himself. Accordingly he covered him with praise. He seemed at a loss to determine whether King William or Mr. Joy had the higher claims to his admiration. He said, that "by his high talents, enlightened information, and extensive knowledge, he had been assisted in every step of the prosecution, and that to his cordial zeal and co-operation no terms could be too strong to render justice and express his gratitude." This encomium produced a smile. It was at once perceived that Mr. Plunket was distrustful of his colleague; and, to use a vulgar phrase, was determined to "put it upon him." Joy felt that it was meant as a stimulant, and, in despite of his own stubborn conviction, endeavoured to excite himself into a semblance of sincerity. His speech was judicious and well arranged. He arrayed the evidence with skill, and showed himself to be well versed in the discipline of his profession. But his manner was cold and frosty-spirited; his clearness was wintry and congealed; his reasons were upon one side, and all his passions upon the other. He appeared to labour with his own consciousness, and to attend less to the arguments applicable to the case,

than to the mode in which he was to play his part. He made some singular confessions. In lauding Lord Wellesley he said, "that his Lordship did him the honour to appoint him to the office which he held, with perfect knowledge, that, upon the great subject which divided the country, his opinions differed from his Lordship's; nor was that question ever once, in the course of a year during which he had been in office, mentioned."

This statement gave a curious insight into the vice-regal councils, in which a great national question was never once alluded to in delicate respect to the tender feelings of Mr. Joy. It had also the effect of an intimation to the jury, that it would not be a matter of deep regret to his Majesty's Solicitor General, if those with whom he felt so strenuous a concurrence of sentiment, and whose "failings leaned to virtue's side," were to escape from the poisoned tooth of Mr. Plunket. But it was scarcely needful to apprise the jury of his own feelings, in order to neutralize all the effects which his abstract reasoning might produce. His very countenance seemed to be at variance with his speech. It was a personification of humbug. It has a natural tendency to derision; and the expression which it habitually assumes towards others, appeared in this instance to be extended to himself. Through the arch solemnity with which his features were invested, it was easy to discern the spirit of ridicule breaking, in occasional flashes of mockery, from his eye, and playing in lambent scorn about him. To the Government by which he was employed, he gave no reason for complaint, and acquitted himself with mercenary fidelity of his distasteful task.

Mr. Plunket could not have said that he omitted a single topic upon which he ought to have relied; but he must have thought how different an effect would have been produced by his old friend Mr. Burrowes. Instead of the well-turned sentences of graceful diction, which were uttered with cold suavity and gentle remonstrance by Mr. Joy, that able man would have thrown among the jury an inflamed harangue, which, if it had not extorted justice, would at least have inflicted shame. The jury would have been attainted by the eloquence of the advocate. The placidity of Mr. Joy had the effect of reconciling them to their verdict. He politely asked them to find the traversers guilty, and with such an air as gave them to understand that he would not take it in very bad part, if they declined to comply with his request. He delivered a well-enunciated essay, which indicated a cultivated mind, but which was destitute of impressiveness or force. It was not, as it ought to have been, "struck fiery off." It wanted neither happiness of diction nor felicity of thought; but it was deficient in power, and left the jury at its conclusion in as undisturbed a self-complacency, as if his lips had not been opened during the trial.

I am far from meaning to impute any censure to Mr. Joy for the least purposed inefficiency upon this occasion. I doubt not that he did as much as his pecular relation to the traversers would allow; but he was so shackled and restrained that it was impossible that his faculties should have had their full play. These are of a high quality, and he is justly accounted one of the ablest men at the Irish Bar. In the sense in which eloquence, and especially in Ireland, is generally under-

stood, I do not think that it belongs to him in a very remarkable degree. At times his manner is very strenuous, but energy is by no means the characteristic of his speaking. I have seen him, upon occasion, appeal to juries with considerable force, and manifest that honest indignation in the reprobation of meanness and of depravity, which is always sure to excite an exalted sentiment in the minds of men. The sincere enforcement of good principle is among the noblest sources of genuine oratory; and he that awakens a more generous love of virtue, and lifts us beyond the ordinary sphere of our moral sensibilities, produces the true results of eloquence. This Mr. Joy has not unfrequently accomplished; but his habitual cast of expression and of thought is too much subdued and kept under the vigilant control of a timid and suspicious taste, to be attended with any very signal and shining effects.

He deals little in that species of illustration which indicates a daring and adventurous mind; that seeks to deliver its strong, though not always matured, conceptions in bold and lofty phrase. Its products may be frequently imperfect, but a single noble thought that springs full formed from the imagination, compensates for all its abortive offspring. Mr. Joy does not appear to think so, and studiously abstains from the indulgence of that propensity to figurative decoration, which in Ireland is carried to some excess. Nature, I suspect, has been a little niggard in the endowment of his fancy; and if she has not given him wings for a sustained and lofty flight, he is wise in not using any waxen pinions. I have never detected any exaggeration in his speeches, either in notion or in phrase.

His language is precise and pure, but so simple, as scarcely to deviate from the plainness of ordinary discourse.

It was observed of Lysias that he seldom employed a word which was not in the most common use, but that his language was so measured as to render his style exceedingly melodious and sweet. Mr. Joy very rarely has recourse to an expression which is not perfectly familiar. But he combines the most trivial forms of phrase with so much art together, as to give them a peculiarly rhythmical construction. Upon occasion, however, he throws into a speech some ornamental allusion to his own favourite pursuits. He takes a flower or two from his *hortus siccus*, and flings it carelessly out. But his images are derived from the museum and the cabinet, and not from the mountain and the field. He is strongly addicted to the study of the more graceful sciences, and versed in shrubs, and birds, and butterflies. In this respect he stands an honourable exception to most of the eminent members of the Bar, with whom all scientific and literary acquirement is held in a kind of disrepute. Mr. Joy has not neglected those sources of permanent enjoyment, which continue to administer their innocent gratifications, when almost every other is dried up. He has employed his solitary leisure (for he is an old bachelor, and, in despite of certain rumours recently afloat, appears to be an inveterate Mr. Oldbuck) in the cultivation of elegant, although, in some instances, fantastic tastes. He is devoted to the loves of the plants, and spends in a well-assorted museum of curiosities many an hour of dalliance with an insect or a shell. It is not unnatural that his mind should be impregnated with his intel-

lectual recreations; and whenever he ventures upon a metaphor, it may readily be traced to some association with his scientific pursuits.

But, with this rare exception, Mr. Joy may be accounted an unadorned speaker. His chief merit consists in his talent for elucidation and for sneering. He is, indeed, so sensible of his genius for mockery, that he puts into use wherever the least opportunity is afforded for its display. When it is his object to cover a man with disgrace, he lavishes encomium with a tone and look that render his envenomed praises more deadly than the fiercest invective. He deals in incessant irony, and sets off his virulent panegyric with a smile of such baleful derision as to furnish a model to a painter for Goëthe's Mephistopheles. In cross-examination he employs this formidable faculty with singular effect. Here he shews high excellence. He contemplates the witness with the suppressed delight of an inquisitor, who calmly surveys his victim before he has him on the wheel. He does not drag him to the torture with a ferocious precipitation, and throw him at once into his torments, but with a slow and blandishing suavity tempts and allures him on, and invites him to the point at which he knows that the means of infliction lie in wait. He offers him a soft and downy bed in which the rack is concealed, and when he is laid upon it, even then he does not put out all his resources of agony at once. He affects to caress the victim whom he torments, and it is only after he has brought the whole machinery of torture into action, that his purpose is perfectly revealed; and even then, and when he is in the fullest triumph of excruciation, he retains his seeming and systematic gentleness; he affects to wonder

at the pain which he applies, and while he is pouring molten lead into the wound, pretends to think it balm.

The habitual irony which Mr. Joy is accustomed to put into such efficient practice, has given an expression to his face which is peculiarly sardonic. Whatever mutations his countenance undergoes, are but varied modifications of a sneer. It exhibits in every aspect a phasis of disdain. Plunket's face sins a little in this regard, but its expression is less contemptuous than harsh. There is in it more of the acidity of ill humour than of the bitterness of scorn. His pride appears to result rather from the sense of his own endowments, than from any depreciating reference to those of other men. But the mockery of Mr. Joy is connected with all the odium of comparison:

> Et les deux bras croisés, du haut de son esprit,
> Il écoute en pitié tout ce que chacun dit.

The features upon which this perpetual derision is inlaid, are of a peculiar cast—they are rough-hewn and unclassical, and dispersed over a square and rectangular visage, without symmetry or arrangement. His mouth is cut broadly, and directly from one jaw to the other, and has neither richness nor curve. There are in his cheeks two deep cavities, which in his younger days might have possibly passed for dimples, hollowed out in the midst of yellow flesh. Here it is that ridicule seems to have chosen her perpetual residence, for I do not remember to have seen her give way to any more kindly or gentle sentiment. His nose is broad at the root; its nostrils are distended, and it terminates in an ascending point: but it is too short for a profile, and

lies in a side view almost concealed in the folds of parchment by which it is encompassed.* The eyes are dark, bright, and intellectual, but the lids are shrivelled and pursed up in such a manner, and seemingly by an act of will, as to leave but a small space between their contracted rims for the gleams of vision that are permitted to escape. They seem to insinuate that it is not worth their while to be open, in order to survey the insignificant object on which they may chance to light. The forehead is thoughtful and high, but from the posture of the head, which is thrown back and generally aside, it appropriately surmounts this singular assemblage of features, and lends an important contribution to the sardonic effect of the whole.

His deportment is in keeping with his physiognomy. If the reader will suggest to his imagination the figure of a Mandarin receiving Lord Amherst at the palace at Pekin, and with contemptuous courtesy proposing to his Lordship the ceremony of the Ko-tou, he will form a pretty accurate notion of the bearing, the manners, and the hue of his Majesty's Solicitor-General for Ireland. He is extremely polite, but his politeness is as Chinese as his look, and appears to be dictated rather by a sense of what he owes to himself, than by any deference to the person who has the misfortune to be its object. And yet with all this assumption of dignity, Mr. Joy is not precisely dignified. He is in a perpetual effort to sustain his consequence, and arms himself against the least invasion upon his title to respect. Of its legitimacy, however, he does not appear

* There is a striking resemblance in this and several other personal descriptions in these papers to the style of Quevedo's portraits, without the coarseness, however, of the Spanish satirist.

to be completely satisfied. He seems a spy upon his own importance, and keeps watch over the sacred treasure with a most earnest and unremitting vigilance. Accordingly he is for ever busy with himself. There is nothing abstract and meditative in his aspect, nor does his mind ever wander beyond the immediate localities that surround him. There is "no speculation in his eye;" an intense consciousness pervades all that he says and does.

I never yet saw him lost in reverie. When disengaged from his professional occupations, he stands in the Hall with the same collected manner which he bore in the discharge of his duties to his client, and with his thoughts fastened to the spot. While others are pacing with rapidity along the flags which have worn out so many hopes, Joy remains in stationary stateliness, peering with a side-long look at the peristrephic panorama that revolves around him. The whole, however, of what is going on is referred to his own individuality; self is the axis of the little world about him, and while he appears scarcely conscious of the presence of a single person in all the crowd by which he is encompassed, he is in reality noting down the slightest glance that may be connected with himself.

There is something so artificial in the demeanour of Mr. Joy, and especially in the authoritativeness which he assumes with the official silk in which he attires his person, that his external appearance gives but little indication of his character. His dispositions are much more commendable than a disciple of Lavater would be inclined to surmise. I suspect that his hauteur is worn from a conviction that the vulgar are

most inclined to reverence the man by whom they are most strenuously despised. Upon a view of Mr. Joy, it would be imagined that he would not prove either a very humane or patient judge; but it is quite otherwise, and those who have had an opportunity of observing him in a judicial capacity upon circuit, concur in the desire that he should be permanently placed in a situation for which he has already displayed, in its transitory occupation, so many conspicuous qualities.*

* Mr. Joy succeeded Mr. Plunket as Attorney-General in 1827, and held that office until 1831, when he became Chief Baron upon the retirement of O'Grady from the Exchequer. Chief Baron Joy died in 1838.

LORD NORBURY.

[NOVEMBER, 1827.]

IN the account given by Sir Pertinax Macsycophant of his rise and progress in the world, he states that his only patrimony was a piece of parental advice, which stood him in lieu of an estate. I have heard it said, that Lord Norbury, in detailing the circumstances which attended his original advancement in life, generally commenced the narrative of his adventures with a death-bed scene of a peculiarly Irish character. His father, a gentleman of a respectable Protestant family in the county of Tipperary, called him in his last moments to his side, and after stating that, in order to sustain the ancient and venerable name of Toler in its dignity, he had devised the estate derived from a sergeant (not at law) to his eldest son, the old Cromwellian drew from under his pillow a case of silver-mounted pistols, and delivering this "donatio mortis causâ," charged him never to omit exhibiting the promptitude of an Irish gentleman, in resorting to these forensic and parliamentary instruments of

advancement. The family acres having gone to the eldest brother, our hero proceeded with his specific legacy, well oiled and primed, to Dublin, having no other fortune than the family pistols, and a couple of hundred pounds, when he was called in the year 1770 to the bar. The period is so remote, that no account of his earlier exploits, beyond that of his habitual substitution of the canons of chivalry for those of law, has remained.

With one of his contemporaries, the late Sir Frederick Flood, I was acquainted, and I have heard that eminent person, whom the intellectual aristocracy of Wexford sent to supply the place of Mr. Fuller in the British House of Commons,* occasionally expatiate on

* Mr. Fuller is now forgotten, yet he made not a little noise in his day, particularly in the House of Commons. He was greater in his line than any man who has either bored or diverted parliament since. In February, 1810, when the House was in committee on the policy of the expedition to the Scheldt, he committed such enormities that he received a terrible reprimand from the Speaker, and narrowly escaped expulsion. In the debates of the following, we find him *rising to "Order"* during an altercation that took place between Mr. Percival and Mr. Whitbread, on the Catholic question. The following is a brief "touch of his quality."

"Perhaps, Sir, I was not a proper person to rise to order; no matter for that, I confess it. The honourable gentleman opposite (Mr. Whitbread) has no right to talk of other people. His own friends sneaked out of office most contemptibly. (*Order.*) 'Pon my honour, Sir, it is not my remark; I speak on suggestion. As to those Irish affairs, I remember about thirty years ago a set of people coming down to this house sweating and fuming like a steam-engine. (*A laugh.*) I have no faith in Catholic Emancipation. I think there is a radical antipathy between England and Ireland. (*Order.*) Well, then, try Emancipation, if you think it will do. I care no more for a Catholic than I do for a Chinese. Give the fellows in the red waistcoats and blue breeches every thing they want. I know the Duke of Richmond," &c. Mr. Fuller represented the county of Sussex.

the feats which he used to perform with Lord Norbury, with something of the spirit with which Justice Shallow records his achievements at Clement's Inn. "Oh, the mad days that I have spent," Sir Frederick used to say, "and to think that so many of my old acquaintance are dead!" The details, however, of his narrations have escaped me. I had calculated that, as he was a strict disciple of Abernethy (except when he dined out), he would have equalled Cornaro in longevity; but being as abstemious in his dress as in his diet, and having denied himself the luxury of an exterior integument, Sir Frederick coughed himself, a couple of winters since, unexpectedly away. I am therefore unable to resort to any of Lord Norbury's original companions, for an authentic account of the first development of his genius at the Irish Bar.

If that bar had been constituted as it is at present, at the period when Lord Norbury was called, it is difficult to imagine how he could have succeeded. Destitute of knowledge, with a mind which, however shrewd and sagacious in the perception of his own interests, was unused to consider, and was almost incapable of comprehending any legal proposition, he could never have risen to any sort of eminence, where perspicuity or erudition was requisite for success. But the qualifications for distinction, at the time when Lord Norbury was called, were essentially different from what they are at present. Endowed with the lungs of Stentor, and a vivacity of temperament which sustained him in all the turbulence of Irish Nisi Prius, and superadding to his physical attributes for noise and bluster, a dauntless determination, he obtained some employment in those departments of his pro-

fession, in which merits of the kind were at that time of value. His elder brother, Daniel, was elected member for the county of Tipperary, which brought him into connexion with Government; but, besides his brother's vote, he is reported to have intimated to the ministry, that upon all necessary occasions his life should be at their service. The first exploit from which his claims upon the gratitude of the local administration of the country were chiefly derived, was the "putting down," to use the technical phrase, of Mr. Napper Tandy. The latter was a distinguished member of the Whig Club, and was a tribune of the people.

Tandy had set up great pretensions to intrepidity, but, having come into collision with Lord Norbury, manifested so little alacrity in accepting the ready tender which was made to him by that intrepid loyalist, that the latter was considered to have gained a decided superiority. Napper Tandy remained lingering on the threshold of the arena, while the prize-fighter of the ministers rushed into it at once, and brandished his sword amidst the applauses of that party, of which he was thenceforward the champion. The friends of Napper Tandy accounted for his tardiness in calling out Lord Norbury (who declared his willingness to meet him in half an hour), by referring it to an apprehension that the House of Commons would interfere; but it seems probable that the patriot of the hour set a higher estimate upon his existence than it merited, while Lord Norbury rated himself at his real value, and did not "set his life at a pin's fee."

After this affair, which mainly contributed to the making of his fortunes, the minister determined to

turn the principal talent which he appeared to possess, and of which he had given so conspicuous a proof, to farther account. In the Irish House of Commons, the government party, when hard pressed, converted the debate into a sort of sanguinary burletta, in which Lord Norbury, then Sergeant Toler, and Sir Boyle Roche, of blundering memory, were their favourite performers. When Grattan had ignited the House of Commons, and succeeded in awakening some recollections of public virtue in that corrupt and prostituted assembly, or when Mr. Ponsonby, the leader of the Whig aristocracy, had by his clear and simple exposition of the real interests of the country, brought a reluctant conviction of their duty to those who were most interested in shutting it out, finding themselves unequal to cope in eloquence with the one, or in argument with the other, the government managers produced Sir Boyle Roche and Sergeant Toler upon the scene.

On Grattan the experiment of bullying was not tried, for his firmness was too well known. Sir Boyle was therefore appointed to reply to him, as his absurdities were found to be useful in restoring the House to that moral tone, from which the elevating declamation of the greatest speaker of his time had for a moment raised them. Under the influence of Sir Boyle's blunders, which were in part intended, the Irish legislators recovered their characteristic pleasantry, and "made merry of a nation's woes:" while Sergeant Toler, who almost equalled Sir Boyle in absurdity, and was more naturally, because he was involuntarily extravagant, played his part, and was let loose upon Mr. Ponsonby, whose nerves were of a delicate organ-

isation, with singular effect. That eminent statesman had made a speech, recommending Catholic Emancipation, and other collateral measures, as the only means of rescuing Ireland from the ruin which impended over her. He was always remarkable for the dignified urbanity of his manners, and in the speech to which Sergeant Toler replied, scarcely any man but Toler could have found materials for personal vituperation.

The English reader will be able to form some idea of the system on which the debates of the Irish House of Commons were carried on, and to estimate Lord Norbury's powers of minacious oratory, from the following extract from the parliamentary debates. "What was it come to, that in the Irish House of Commons they should listen to one of their own members degrading the character of an Irish gentleman by language which was fitted but for hallooing a mob? Had he heard a man uttering out of those doors such language as that by which the honourable gentleman had violated the decorum of parliament, he would have seized the ruffian by the throat, and dragged him to the dust! What were the House made of, who could listen in patience to such abominable sentiments? Sentiments, thank God! which were acknowledged by no class of men in this country, except the execrable and infamous nest of traitors, who were known by the name of United Irishmen, who sat brooding in Belfast over their discontents and treasons, and from whose publications he could trace, word for word, every expression the honourable gentleman had used."—*Irish Parliamentary Debates, Feb.* 1797.*

* The horror of the English reader at this specimen of Lord Norbury's parliamentary eloquence will be diminished by remembering that upon

Of this fragment of vituperation Mr. Ponsonby took no notice; and the object of the orator was attained, in securing himself a new title to the gratitude of those who kept a band of bravoes hired in their service, and could not have selected a more appropriate instrument than Lord Norbury for the purposes of intimidation. To his personal courage, or rather recklessness of the lives of others as well as his own, he is chiefly indebted for his promotion. It was the leading trait of his character, and, prevailing over his extravagance, invested him with a sort of spurious respectability. In the manifestations of that spirit, which had become habitual, he has persevered to the last; and even since he has been a Chief-Justice has betrayed his original tendency to settle matters after the old Irish fashion, at the distance of twelve paces. He has more than once intimated to a counsel, who was pressing him too closely with a Bill of Exceptions, that he would not seek shelter behind the Bench, or merge the gentleman in the Chief-Justice; and, when a celebrated senator charged him with having fallen asleep on a trial for murder, he is reported to have declared that he would resign, in order to demand satisfaction, as "that Scotch *Broom* (Brougham) wanted nothing so much as an Irish *stick*."

In the year 1798, Lord Norbury was his Majesty's

the same arena, some years later, even so great a man as Mr. Grattan retorted upon Mr. Corry, in a strain little less termagant:—"The honourable gentleman had said that by his counsel the rebellion had been brought about. Had any man out of the house said what the honourable gentleman had said in the house, his answer would have been a blow. He cared not how high his situation, how frivolous his character, whether he was a privy counsellor or a parasite, a half coxcomb or a half swindler, his answer would be a blow." The extraordinary provocation, however, which Mr. Grattan received, is to be recollected and allowed for.

Solicitor-General. His services to Government had been hitherto confined to the display of ferocious rhetoric in the House of Commons, of which I have quoted a specimen. The civil disturbances of the country offered a new field to his genius, and afforded him an opportunity of accumulating his claims upon the gratitude of the crown, which could not have found a more zealous, and, I will even add, a more useful servant during the rebellion. If the juries before whom the hordes who were charged with high treason were put upon their trial, had been either scrupulous or reluctant, if any questions of effectual difficulty could have arisen, and the forms of the law could have been used with any chance of success in the defence of the prisoners, if justice had not rushed with eagerness through every impediment, and broken all ceremony down, such a Solicitor-General as Lord Norbury would have been an inapplicable and inefficient instrument; but the evidence of informers was generally so direct and simple, and so strong was the impatience of juries to precipitate themselves to a conviction, all niceties and technicalities of the law were so utterly disregarded, and it was so little requisite that the conductors of Government prosecutions should possess either acuteness or knowledge, that Lord Norbury's faculties were quite equal to the discharge of his official duty, while they were in happy adaptation to the moral character of the public tribunals, and the exigency of the time.

To strike terror into the people was the great object to be attained, and Lord Norbury had many qualifications for the purpose. He stood in a court of justice, not only as the servant of his sovereign, but as the representative, in some measure, of the powerful

Cromwellian aristocracy to which his family belonged, and in whose prejudices and passions he himself vehemently participated. His whole bearing and aspect breathed a turbulent spirit of domination. His voice was deep and big; and in despite of the ludicrous associations connected with his character, when it rolled the denunciations of infuriated power through the court, derived from the terrible intimations which it conveyed, an awful and appalling character. He did not indeed cease to utter absurdity, but his orations were fraught with a kind of truculent bombast—a sort of sanguinary "fee, fa, fum!" while the dilation of his nostrils, and the fierceness of his looks, expressed, if I may so say, the scent of a traitor's blood.

In his moments of excitation (and he is capable of ascending beyond the level of ordinary feeling and discourse) his spirit was strongly roused, and his countenance, swelled as it was with passion, and stained with a dark red, became the image of his intellect and of his sensibility. His eyes were inflamed with a ferocious loyalty, and the consciousness of unbounded power; and while they glared on the wretches who stood pale and trembling at the bar, or were fixed in defiance on the counsel for the prisoner, assisted, with their savage glare, the canons of extermination which the orator was laying down. A certain trick of expanding his cheeks, and swelling them with wind, which he puffed importantly off, set off his tempestuous adjurations, and made him look as if he were blowing all mercy and compunction away. Thus he was every way well adapted to his terrible task.

Nor was he less qualified, when, in his capacity of Solicitor-General, he was put on the commission, and

went as a Judge of Assize.* Much of the same demeanour and deportment was preserved on the bench, where the red robes in which he was arrayed heightened the impression which his face, voice, and figure, were calculated to produce. There was, however, this difference, that his spirit of buffoonery became more conspicuous upon the bench. It should not, however, be too hastily concluded that his love of drollery in any degree disqualified him for the exercise of the judicial functions. On the contrary, his merits as a jester were among his most useful and efficient attributes as a judge. He was fanciful or turgid, just as the occasion required. In his addresses to the jury, he was as swollen with exaggerated loyalty as the gravest supporter of Protestant Ascendency could have desired; while during the rest of the trial, he put on a demeanour of heedless hilarity, which indicated the little value which he attached to the life of an insurgent, and taught the populace at what rate human breath was estimated in his court. The effect of the tortures of Macbriar, in "Old Mortality," is greatly heightened by the merriment with which the Duke of Lauderdale exclaims, "He will make an old proverb good; for he'll scarce ride to-day, though he has had his boots on."

I do not, however, believe that the indifference for human life which was indicated by Lord Norbury's judicial mirth, was at all studied or systematic, or the result of cruelty of disposition. He is naturally of a gay and pleasant cast of mind; and it is, I fancy, im-

* The objectionable practice of sending the Solicitor-General to administer justice as a Judge of Assize has long since been discontinued in Ireland.

possible for him to keep ludicrous notions out. It is also but justice to him to add, that his jokes were not, like the Duke of Lauderdale's, at the expense of the prisoner who stood aghast and dismayed before him; and if they showed that he did not entertain any very profound sense of the awfulness of the transition to another state of existence, still, as they were not directed to the culprit at the bar, his witticisms gave no indications of any natural savageness of heart, from which I believe him to be wholly free. His imagination was hurried away by some whimsical idea, and the moment a grotesque image presented itself, or a fantastical anecdote was recalled to his recollection, he could not keep it in, but let it involuntarily escape upon the court.

But these vagaries did not render the administration of justice in his hands less terrific; and while he himself gave way to the merriment which he could not restrain, the countenances of the crowds with which the public tribunals were filled, in their fearful expression as well as their ghastly colour, exhibited an awful contrast with his own. He could, indeed, with impunity indulge in those judicial antics amidst the assemblage of pallid wretches by whom he was surrounded; when it might be justly said, in reference to them and to the moral expression of his visage and its complexion, "Cum tot palloribus sufficeret sævus iste vultus, atque rubor, quo se contra pudorem muniebat." In his charges, too, he made ample compensation for the conundrums with which he interrupted the examination of witnesses; for he threw off in an instant the character of a jester, resumed the terrors of his deep and denunciating voice, and turning to the prisoners,

spoke of that eternity to which he was about to despatch them, with an awfulness and solemnity which justified Lord Clare, who objected to his being created a Chief Justice, in recommending that he should enter the church, and be made a bishop.

The proposition that those brows, on which the black cap had been so frequently and so conspicuously displayed, should be invested with a mitre, did credit to Lord Clare, who, with all his partialiality for the Church, was more solicitous for the dignity of the Judicial than the Episcopal Bench; and had his suggestion been adopted, Lord Norbury, attired in lawn, would have proved an agreeable accession to the House of Lords, and while he relieved the tedium of many a weary debate with his pious jokes and his holy merriment, he would in all likelihood have looked as appropriate a successor of the apostles as their Lordships of Ossory or Kilmore. If he had been created Archbishop of Dublin, what a spirit of good-humour would have been infused into our polemics; how many a sacred jest would have sparkled in his jovial and laughter-stirring homilies! We should have been spared a fierce and unprovoked aggression on the religion of the people, and should never have seen a barbed and envenomed arrow shot from behind the altar, in the shape of a wanton and virulent antithesis.* Lord Norbury officiating as Archbishop of Dublin, presents a pleasant picture to the mind, and of a character as truly Christian as the reality affords.

Unfortunately, however, Lord Clare was overruled; and Lord Norbury, having been created a peer, was, on

* See *State of Parties in Dublin*, among the political essays in this collection.

the resignation of Lord Carleton, raised to the Chief-Justiceship of the Common Pleas. For some time the terrors which had attended him during the rebellion, continued to be associated with his name; but at length the recollections of the civil commotions in which he had played so remarkable a part, began to subside—his energy in the cause of Government was forgotten—none but the ridiculous points of his character stood out in any very considerable prominence, and he lost even that species of respect which results from fear. He was Chief Justice of the Common Pleas from the year 1800, and diligently employed the whole of that period in earning the reputation which he at length succeeded in establishing through the empire. "Lord Norbury's last joke" has long been the ordinary title to a pleasant paragraph in the English newspapers; but it is right to add, in his vindication, that much has been attibuted to him which does not belong to him; and many a dealer in illegitimate wit, who was ashamed of acknowledging his own productions, laid his spurious offspring at his Lordship's door. As he so essentially contributed to the amusement of the public, he gradually grew into the general favour, and was held in something like the reverence which is entertained by the upper galleries for an eminent actor of farce. His performances at Nisi Prius were greatly preferable, in the decline of the Dublin stage, to any theatrical exhibition; and, as he drew exceedingly full houses, Mr. Jones began to look at him with some jealousy, and is said to have been advised by Mr. Sergeant Gould, who had a share in Crow-street Theatre, to file a bill for an injunction against the Chief-Justice, for an infringement of his patent.

Lord Norbury was at the head of an excellent company. The spirit of the judge extended itself naturally enough to the counsel; and men who were grave and considerate every where else, threw off all soberness and propriety, and became infected with the habits of the venerable manager of the court, the moment they entered the Common Pleas. His principal performers were Messrs. Grady, Wallace, O'Connell, and Gould, who instituted a sort of rivalry in uproar, and played against each other. With such a judge, and such auxiliaries to co-operate with him, some idea may be formed of the attractions which were held out to that numerous class who have no fixed occupation, and by whom, in the hope of laughing hunger away, the Four Courts are frequented in Dublin.

Long before Lord Norbury took his seat, the galleries were densely filled with faces strangely expressive of idleness, haggardness, and humour. At about eleven his Lordship's registrar, Mr. Peter Jackson, used to slide in with an official leer; and a little after Lord Norbury entered with a grotesque waddle, and, having bowed to the Bar, cast his eyes round the court. Perceiving a full house, an obvious expression of satisfaction pervaded his countenance; and if he saw any of his acquaintance of a noble family, such as John Claudius Beresford,* who had a good deal of time on his hands, in the crowd, he ordered the tipstaff to make way for him, and in order, I presume, to add to the dignity of the proceedings, placed him beside himself on the bench. While the jury were

* Mr. John Claudius Beresford, although a branch of the noble house of Waterford, was an Alderman of the Corporation of Dublin, and an active tool of the Government during the Rebellion of 1798.

swearing, he either nodded familiarly to most of them, occasionally observing, "A most respectable man;" or, if the above-mentioned celebrated member of the house of Curraghmore chanced to be next him, was engaged in so pleasant a vein of whispering, that it was conjectured, from the heartiness of his laugh, that he must have been talking of the recreations of the Riding-house, and the amusements of 1798. The junior counsel having opened the pleadings, Lord Norbury generally exclaimed, "A very promising young man! Jackson, what is that young gentleman's name?"—"Mr. ——, my Lord."—"What! of the county of Cork?—I knew it by his air. Sir, you are a gentleman of very high pretensions, and I protest that I have never heard the money counts stated in a more dignified manner in all my life; I hope I shall find you, like the paper before me, a Daily Freeman in my court."*

Having despatched the junior, whom he was sure to make the luckless, but sometimes not inappropriate victim of his encomiums, he suffered the leading counsel to proceed. As he was considered to have a strong bias towards the plaintiff, experimental attorneys brought into the Common Pleas the very worst and most discreditable adventures in litigation.† The

* An actual occurrence, affording a fair sample of Lord Norbury's general manner. The late Mr. Henry Deane Freeman was the gentleman who underwent his Lordship's compliments. It may not be amiss to add that there is a newspaper in Dublin called the *Daily Freeman*, to distinguish it from a weekly journal of the same name.

† The imputation of a bias towards the plaintiff originated in the objectionable system of fees, which during the greater part of Lord Norbury's career formed a portion of the judicial income. By alluring suitors to his court it was possible, of course, for a judge to swell his emoluments. Mr. Jackson, the officer alluded to in the text, is said to

statement of the case, therefore, generally disclosed some paltry ground of action, which, however did not prevent his Lordship from exclaiming in the outset, "A very important action indeed! If you make out your facts in evidence, Mr. Wallace, there will be serious matter for the jury." The evidence was then produced; and the witnesses often consisted of wretches whose emaciated and discoloured countenances showed their want and their depravity, while their watchful and working eyes intimated that mixture of sagacity and humour by which the lower order of Irish attestators is distinguished. They generally appeared in coats and breeches, the external decency of which, as they were hired for the occasion, was ludicrously contrasted with the ragged and filthy shirt, which Mr. Henry Deane Grady, who was well acquainted with "the inner man" of an Irish witness, though not without repeated injunctions to unbutton, at last compelled them to disclose.

The cross-examinations of this gentleman were admirable pieces of the most serviceable and dexterous extravagance. He was the Scarron of the Bar; and few of the most practised and skilful of the horde of perjurers whom he was employed to encounter, could successfully withstand the exceedingly droll and comical scrutiny through which he forced them to pass. He

have kept two bags under his seat in court, one for the silver in which Lord Norbury's perquisites were deposited, the other for the copper in which he hoarded his own more modest pickings. When the fees were abolished, it was said that the court leaned to the plaintiff no longer, but in the opposite direction. The business of the Common Pleas unquestionably declined. The attorneys forsook it for other courts, and this unpopularity continued down to a very recent period.

had a sort of "Hail fellow, well met!" manner with every varlet, which enabled him to get into his heart and core, until he had completely turned him inside out, and excited such a spirit of mirth that the knave whom he was uncovering, could not help joining in the merriment which the detection of his villany had produced.*

Lord Norbury, however, when he saw Mr. Grady pushing the plaintiff to extremities, used to come to his aid, and rally the broken recollections of the witness. This interposition called the defendant's counsel into stronger action, and they were as vigorously encountered by the counsel on the other side. Interruption created remonstrance; remonstrance called forth retort; retort generated sarcasm; and at length voices were raised so loud, and the blood of the forensic combatants was so warmed, that a general scene of confusion, to which Lord Norbury most amply contributed, took place. The uproar gradually increased till it became tremendous; and, to add to the tumult, a question of law, which threw Lord Norbury's faculties into complete chaos, was thrown into the conflict. Mr. Grady and Mr. O'Connell shouted upon one side, Mr. Wallace and Mr. Gould upon the other, and at last, Lord Norbury, the witnesses, the counsel, the parties, and the audience, were involved in one universal riot, in which it was difficult to determine

* As a specimen of Mr. Harry Deane Grady's Nisi Prius vein, the following, which O'Connell was fond of relating, is amusing. Cross-examining a sailor at Cork or Limerick, Grady addressed him: — "You are a Swede, I believe?" "No, I am not," replied the witness. "Well, what are you then?"—"I am a Dane." Grady turned to the jury—"Gentlemen, you hear the equivocating scoundrel——Go down, sir."

whether the laughter of the audience, the exclamations of the parties, the protestations of the witnesses, the cries of the counsel, or the bellowing of Lord Norbury, predominated. At length, however, his Lordship's superiority of lungs prevailed; and, like Æolus in his cavern, (of whom, with his puffed cheeks and inflamed visage, he would furnish a painter with a model,) he shouted his stormy subjects into peace.*

These scenes repeatedly occurred during the trial, until at last both parties had closed, and a new exhibition took place. This was Lord Norbury's monologue, commonly called a charge. He usually began by pronouncing the loftiest encomiums upon the party in the action, against whom he intended to advise the jury to give their verdict. For this the audience were well prepared; and accordingly, after he had stated that the defendant was one of the most honourable men alive, and that he knew his father, and loved him, he suddenly came with a most singular emphasis, which he accompanied with a strange shake of his wig, to the fatal "but," which made the audience, who were in expectation of it, burst into a fit of laughter, while he proceeded to charge, as he almost uniformly did, in the plaintiff's favour. He then entered more deeply, as he said, into the case, and, flinging his judicial robe half aside, and sometimes casting off his wig, started from his seat, and threw off a wild harangue, in which neither law, method, nor argument could be discovered. It generally consisted of narratives connected with the history of his early life, which

* A witness, being asked one day what his occupation was, answered that he kept a racket-court. "So do I," said Lord Norbury, puffing, and glancing at his "company."

it was impossible to associate with the subject, of jests from Joe Miller, mixed with jokes of his own manufacture, and of sarcastic allusions to any of the counsel who had endeavoured to check him during the trial. He was exceedingly fond of quotations from Milton and Shakespeare, which, however out of place, were very well delivered, and evinced an excellent enunciation. At the conclusion of his charge, he made some efforts to call the attention of the jury to any leading incident which particularly struck him, but what he meant it was not very easy to conjecture; and when he sat down, the whole performance exhibited a mind which resembled a whirlpool of mud, in which law, facts, arguments, and evidence, were lost in unfathomable confusion.

Some years ago, I remember, at the close of his charges a ludicrous incident, which was a kind of practical commentary, sometimes took place. A poor maniac, well known about the Hall, whose name was "Toby M'Cormick," had been a suitor in the Common Pleas, and had lost his senses in consequence of the loss of his cause. He regularly used to attend the Court, to which he was attracted by an odd fantasy:—Toby had got it into his head that he was Lord Norbury himself, having merged all consciousness of his own separate being in the strong image of his Lordship which was constantly present to his mind, while, upon the other hand, he took Lord Norbury for "Toby M'Cormick;" believing that they had made a swap of their personal identities, and exchanged their existence. This strange madman, at the end of Lord Norbury's charges, used to cry out, with some imitation of his manner, "Find for the plaintiff!" and though not intended as

a sarcasm upon his habits, yet it was so just a satire that Lord Norbury was half displeased, and, turning to Peter Jackson, exclaimed, "Jackson, turn Toby M'Cormick out of Court!"

I feel that, in the portrait which I have endeavoured to draw of the late Chief-Justice of the Irish Common Pleas in presiding at the Nisi Prius sittings, I have not at all come up to my original. But to describe him in such a way as to match the reality, would be, perhaps, impossible. To conceive what he was, and his stupendous extravagances, it would have been necessary to see the "*θηριον αυτο*," and have witnessed the prodigy itself. It is no exaggeration to say, that as the wildest farce upon the stage never raised more laughter than his exhibitions from the bench, neither could any writer of dramatic drolleries, who should undertake to draw him, embody the substantial absurdity of his character in any fictitious representation. He might have defied O'Keefe himself; for although his law was like Lingo's Latin, yet I do not think that even O'Keefe's genius for extravagance could have done Lord Norbury justice.

In his capacity of judge, sitting in full court, with his three coadjutors about him, he was almost as ludicrous as in his more tumultuous office of jester at Nisi Prius. I remember when the Court presented, in his person and in that of Judge Mayne, a most amusing and laughable contrast. Never was Rochefoucault's maxim, that "gravity is a mystery of the body to hide the defects of the mind," more strongly exemplified than in the solemn figure which sat for many years on Lord Norbury's left hand, in his administration of the law. By the profound stagnation of his calm and imperturbable visage, which improved on Gratiano's description

of a grave man, and not more in stillness than in colour resembled "a standing pool;" by a certain shake of his head, which, moving with the mechanical oscillation of a wooden mandarian, made him look like the image of Confucius which is plastered on the dome of the Four Courts: by his long and measured sentences, which issued in tones of oracular wisdom from his dry and ashy lips; by his slow and even gait, and his systematic and regulated gesture, Judge Mayne had contrived, when at the Bar, to impose himself as a great lawyer on the public. When he was made a judge, upon the day on which he for the first time took his seat, Mr. Keller, one of his contemporaries, and a bitter wag, came into Court, and seeing him enthroned in his dignity, with his scarlet robes about him, leaned over the bar bench, and, after musing for some time, while he stretched out his shrewd sardonic face, muttered to himself, "Well, Mayne, there you are!—there you have been raised by your gravity, while my levity still sinks me here."

This pragmatical personage, who was considered deep, while he was only dark and muddy, was fixed, as if for the purposes of contrast, beside Lord Norbury, but so far from diminishing the effect of his judicial drolleries, the vapid melancholy of the one brought the vivacity of his companion into stronger light. In truth, the solemnity of Judge Mayne was nearly as comical as Lord Norbury's humour; and when, seeing a man enter the Court who had forgotten to uncover, Judge Mayne rose and said, "I see you standing there like a wild beast, with your hat on,"—the pomp of utterance, and the measured dignity with which this splendid figure in Irish oratory was enunciated, excited nearly as much

merriment as the purposed jokes and the ostentatious merriment of the chief of the Court.

Nothing, not even Lord Norbury, could induce his brother judge to smile. His features seemed to have some inherent and natural incompatibility with laughter, which the Momus of the bench could not remove. While peals rang upon peals of merriment, and men were obliged to hold their sides, lest they should burst with excess of ridicule, Judge Mayne stood silent, starch, and composed, and never allowed his muscles of rusty iron to give way in any unmeet and extrajudicial relaxation. This union of the Allegro and Penseroso was invaluable to the seekers of fun in the Common Pleas, and it was with regret that the merry public were informed that Judge Mayne had been advised by his physicians to retire from the bench and take up his residence in France. He went, I understand, to Paris, where he used occasionally to walk, in the brilliant afternoons of that enchanting climate, in the garden of the Tuileries, and, Scott's Quentin Durward being then in vogue, Judge Mayne was taken for the spectre of Trois Echelles.

The place of Judge Mayne was latterly supplied by a very able man and an excellent lawyer, Mr. Justice Johnson; and then a scene of a different character, but still exceedingly amusing, was afforded. Lord Norbury was now most unhappily situated, for he had Judge Fletcher upon one hand and Judge Johnson upon the other. The former was a man of an uncommonly vigorous and brawny mind, with a rude but powerful grasp of thought, and with considerable acquirement, both in literature and in his profession. He was destitute of all elegance, either mental or exter-

nal, but made up for the deficiency by the massive and robust character of his understanding. He had been a devoted Whig at the bar, and hated Lord Norbury for his politics, while he held his intellect in contempt. Dissimulation was not among his attributes, and, as his indifferent health produced a great infirmity of temper, (for he was the converse of what a Frenchman defines as a happy man, and had a bad stomach and a good heart,) he was at no pains in concealing his disrelish for his brother on the bench. Judge Johnson, who occupied the seat on Lord Norbury's left hand, completed his misfortunes in juxtaposition.

There is nothing whatever about Judge Johnson to be laughed at, although his bursts of temperament may sometimes provoke a smile; but, in adding to Lord Norbury's calamities, he augmented the diversions of the court. He was less habitually atrabilarious than Judge Fletcher, whose characteristic was moroseness rather than irritability, but he had an honest vehemence and impetuosity about him, which, whenever his sense of propriety was violated, he could not restrain. When the Chief Justice, who was thus disastrously placed, was giving judgment (if the olla podrida which he served up for the general entertainment can be so called), the spectacle derived from the aspect of his brother judges, furnished a vast accession of amusement. Judge Fletcher, indignant at all the absurdity which was thrown up by Lord Norbury, and which bespattered the bench, began expressing his disgust by the character of bilious severity which spread over his countenance; of which the main characteristic was a fierce sourness and a scornful discontent. Judge Johnson, on the other hand, endeavoured to conceal his anger, and, placing

his elbows on the bench, and thrusting his clenched hands upon his mouth, tried to stifle the indignation with which, however, it was obvious that he was beginning to tumefy. After a little while, a growl was heard from Judge Fletcher, while Judge Johnson responded with a groan. But, undeterred by any such gentle admonition, their incomparable brother, with a desperate intrepidity, held on his way.

Judge Fletcher had a habit, when exceedingly displeased, of rocking himself in his seat; and, as he was of a considerable bulk, his swinging, which was known to be an intimation of his augmenting anger, was familiar to the Bar. As Lord Norbury advanced, the oscillations, accompanied with a deeper growling, described a greater segment of a circle, and shook the whole bench; while Judge Johnson, with his shaggy brows bent and contracted over his face, and with his eyes flashing with passion, used, with an occasional exclamation of mingled indignation and disgust, to turn himself violently round. Still, on Lord Norbury went; until at length Judge Fletcher, by his pendulous vibrations, came with him into actual collision upon one side, and Judge Johnson, by his averted shrug, hit him on the shoulder upon the other, when, awakened by the simultaneous shock, his lordship gave a start, and looking round the Bar, who were roaring with laughter at the whole proceeding, discharged two or three puffs; and felicitating his brothers on their urbanity and good manners, in revenge for their contumelious estimate of his talents generally called on the tipstaff to bring him a judicial convenience, and turning to the wall of the court, retaliated from the bench for the aspersions which they had cast upon him. From one of these two for-

midable commentators he was latterly relieved, and although Judge Johnson remained beside him, still, in the absence of Judge Fletcher as an auxiliary, he became latterly somewhat mitigated; while Judge Moore, during the Chief Justice's legal expositions, did no more than intimate his feelings by a look of goodnatured commiseration; and Judge Torrens turned a polite and fastidious smile, full of the gracefulness of the Horse Guards, upon his noble and learned brother.*

Such was Lord Norbury as a judge. It remains to say a few words of him as a politician. It is almost unnecessary to state that with such intellectual endowments he did not coincide with Grattan and Curran, and Plunket and Bushe, in the views which were taken by those inferior persons of the interest of their country, but that he agreed in principle and in feeling with Dr. Duigenan, Mr. Dawson, Sir George Hill, and the rest of the illustrious statesmen by whom the cause of ascendancy has been so firmly and so appropriately supported. Lord Norbury was an excellent and uniform Protestant. This was always well known in Ireland, but, his buffoonery having swollen up and concealed the other traits of his character, little notice was taken of his political predilections. It was, indeed, his habit to deliver orations to the grand jury upon the church and state on the home circuit; and in reference to J. K. L., he often poured out a tirade against "Moll Doyle," one of the wild personifications of agrarian insurrection in

* Judge Torrens, who is still on the bench, is brother of the late Sir Henry Torrens, who was for many years Adjutant-General and high in the favour of the late Duke of York. His influence was supposed to have materially helped the advancement of his relatives in Ireland both at the bar and in the church.

the south of Ireland;* but, however indecorous these allusions were deemed in a Chief Justice, the people were so much accustomed to laugh at his lordship, that even where there was good cause for remonstrance, they could not be prevailed on to regard anything he did in a serious way. As "carte blanche" is given to Grimaldi, the public allowed Lord Norbury an unlimited licence; and in law, politics, and religion, never placed any restraint upon him.

At length, however, an event occurred which awakened the general notice; and as there was another and a very obnoxious individual concerned, excited among the Roman Catholics universal indignation. Lord Norbury has been always remarkable for his frugality. He was in the habit of stuffing papers into the old chairs in his study, in order to supply the deficiency of horse-hair which the incumbency of eighty years had produced in their bottoms. At last, however, they became, even with the aid of this occasional supplement, unfit for use, and were sent by his Lordship to a shop in which old furniture was advertised to be bought and sold. An individual of the name of Monaghan got one of these chairs into his possession, and finding it stuffed with papers, drew them out. He had been a clerk in an attorney's office, and knew Mr. Saurin's handwriting. He perceived by the superscription of a letter, that it was written by the Attorney-General, and on opening it he found the following words addressed to a Chief Justice, and a going judge of assize, by the principal law officer of the Crown:—

* The letters J. K. L., the initials of James Kildare and Leighlin, formed the signature under the which the late eminent Roman Catholic prelate, Dr. Doyle, published a remarkable series of letters on the state of Ireland.

"*Dublin Castle, August* 9.

"I transcribe for you a very sensible part of Lord Ross's* letter to me. 'As Lord Norbury goes our circuit, and as he is personally acquainted with the gentlemen of our county, a hint to him may be of use. He is in the habit of talking individually to them in his chamber at Philipstown; and if he were to impress on them the consequence of the measure, viz., that however they may think otherwise, the Catholics would, in spite of them, elect Catholic members, (if such were eligible,) that the Catholic members would then have the nomination of sheriffs, and, in many instances, perhaps of the judges; and the Protestants would be put in the back-ground, as the Protestants were formerly; I think he would bring the effect of the measure home to themselves, and satisfy them that

* Lord Ross, who advises Mr. Saurin to adopt the course which he so faithfully pursued, was once Sir Laurence Parsons, and was in the habit of speaking in the Irish House of Commons in favour of Emancipation. He was not only an orator, but a poet. In the appendix to the first volume of *Wolfe Tone's Memoirs*, a poem is inserted, which would have entitled him to the place of Laureat to the United Irishman. The following are the opening lines :—

"How long, O Slavery! shall thine iron mace
Wave o'er this isle, and crouch its abject race?
Full many a dastard century we've bent
Beneath thy terrors, wretched and content.

What though with haughty arrogance of pride
England shall o'er this long-duped country stride,
And lay on stripe on stripe, and shame on shame,
And brand to all eternity its name:

'Tis right, well done, bear all and more, I say,
Nay, ten times more, and then for more still pray!
What state in something would not foremost be?
She tries for fame, thou for servility." —A.

they could scarcely submit to live in the country if it were passed.' So far Lord Ross. But he suggests in another part of his letter, 'that if Protestant gentlemen, who have votes and influence and interest, would give these venal members to understand that if they will purchase Catholic votes by betraying their country and it sconstitution, they shall infallibly lose theirs; it would alter their conduct, though it could neither make them honest or respectable.' If you will *judiciously administer* (*!!*) *a little of this medicine* to the King's County, and other members of Parliament, that may fall in your way, you will deserve well. Many thanks for your letter, and its good intelligence from Maryborough. Jebb is a most valuable fellow, and of the sort that is most wanted.

"Affectionately and truly yours,

"WILLIAM SAURIN."

When this letter was first disclosed, it was vehemently asserted by Mr. Saurin's friends, that a man of his fame and constitutional principles could not have written it, and they alleged that it was a mere fabrication; but afterwards, when the handwriting was perceived to be indisputable, and the author of the letter did not dare to deny its authenticity, Mr. Peel, and the other advocates of Mr. Saurin, contented themselves with exclaiming against the mere impropriety of its production. From this ground of imputation they were, however, effectually driven by Mr. Brougham,* when he called to

* Mr. Brougham laid a trap for Mr. Peel. The writer of this article was told, upon good authority, that he introduced Mr. Saurin's letter into the debate, in order to allure Mr. Peel into a censure of the use which had been made of it. The latter fell into the snare, and the moment he began

the Minister's recollection, and especially to that of the Secretary for the Home Department, whom it chiefly concerned, the foul means adopted to get at evidence against the Queen. Since that time we have heard no more of the violation of all good feeling in the Catholics, when they availed themselves of a document in the handwriting of an Attorney-General, in order to establish the fact which had been frequently insisted on, that poison had been poured into the highest sources of justice. The moral indignation of Protestants has subsided, but they have not recovered from their astonishment, that a man so cautious and deliberate as Mr. Saurin, should have put himself in the power of such a person as Lord Norbury, and entrusted him with a communication, which has eventually proved so fatal to himself.

The discovery of this letter has been of use to Lord Norbury. When his incompetence in his office was mentioned in Parliament, the Orange faction considered themselves bound by that principle of fidelity to each other, by which, to do them justice, they are characterised, to support a very zealous, if not a very respectable partisan; and accordingly Mr. Goulburn, with the effrontery which distinguished him, pronounced a panegyric on his judicial excellencies, and stated (to the great and just indignation of the other Judges of the Common Pleas) that in a difficult and complicated case he had evinced more knowledge and astuteness than any of them. To this encomium Mr. Peel, with all his

to inveigh against the production of the letter, Mr. Brougham, who had been intently and impatiently watching him, slapped his knee, and cried, "I have him!"

manliness, and although he values himself on his reformation of the abuses of justice, gave his sanction.

Lord Norbury, finding himself sustained by his party in the House of Commons, turned a deaf ear to all private solicitations, of which his resignation was the object. At length Mr. O'Connell presented a petition for his removal, setting forth, among other grounds, that he had fallen asleep during the trial of a murder case, and was unable to give any account of the evidence, when called on for his notes by the Lord Lieutenant.* Mr. Scarlett, to whom the petition was entrusted, did not move upon it, in consequence of a personal assurance from Mr. Peel, that he would do everything in his power to induce him, of his own accord, to retire. For although Mr. Peel ostensibly defended him as a friend and partisan, yet he was, in reality, ashamed of such an incubus upon the Bench. Lord Norbury at last went so far as to intimate that he would consult his friends on the subject, and required a reasonable time to do so, which was accordingly granted. After the lapse of a month, Mr. Goulburn called again to know the result of his deliberations, when his Lordship stated that Lord Combermere was his most parti-

* In Mr. O'Connell's petition it was further stated, that in a case where six persons were on their trial, Lord Norbury had also slumbered. The counsel for the prosecution requested the jury to take notes of the evidence, that they might inform the judge when he awoke! It was in the conversation on this petition that Mr. Goulburn eulogized Lord Norbury's legal abilities. Mr. Peel seems to have only vouched for the purity of his judicial conduct (which was not impeached), adding that "he was proud to call the learned lord his friend." Mr. North, upon the same occasion, bore witness to the general truth of the allegations of Mr. O'Connell, but "not for worlds would he have brought the subject forward himself."

cular friend, and that he had written to him at Calcutta.* Mr. Goulburn, finding himself thus evaded, and being conscious that he was as well qualified at eighty-six as he had ever been, (for no increased hallucination is perceptible about him,) was a good deal at a loss what to do. But suddenly Mr. Canning became Lord of the Ascendant; and Lord Norbury, who never wanted sagacity, feeling that under the new system he could not expect the support of ministers, wisely came into terms; and having stipulated for an earldom, as a consideration, resigned in favour of Lord Plunket, who, like an unskilful aëronaut, has made a bad descent into the Common Pleas.

Thus had this man, without talent, or knowledge, or any thing to recommend him beyond his personal and animal spirit, to the favour of Government, raised himself to a high station on the Bench, which he enjoyed for seven and twenty years; and now, laden with wealth, effects his retreat through a loftier grade of the peerage. He has accumulated an immense fortune, partly from the lucrative offices of which he was so long in the enjoyment, and partly through his rigid economy. I ought not, however, to omit that, parsimonious as his habits are, still they do not prevent him from exercising the best kind of charity, for he is an excellent landlord. In his dealings with his inferiors too, (I gladly avail myself of the opportunity of bestowing on him such praise as he deserves,) he is kind and considerate; and towards his domestics is a

* As this story is commonly told, Lord Norbury stated that he had also written for the advice of Sir E. Parry, who was then out upon one of his polar expeditions.

gentle and forbearing master. In his deportment to the Bar, too, he was undeviatingly polite, and never forgot that he was himself a member of the profession, on which the recollection of every judge should forbid him to trample.

In private society he is a most agreeable, although a very grotesque companion. He is not wholly destitute of literature; having a great memory, he is fond of repeating passages from the older poets, which he recites with propriety and force. Of modern authors he is wholly ignorant, nor is a new book to be found in his library. His study presents, indeed, a curious spectacle. In the centre of the room lies a heap of old papers, covered with dust, mingled with political pamphlets, written some forty years ago, together with an odd volume of the "Irish Parliamentary Debates," recording the speeches of Mr. Serjeant Toler. On the shelves, which are half empty, and exhibit a most "beggarly account," there are some forty moth-eaten law-books; and by their side appear odd volumes of "Peregrine Pickle," and "Roderick Random," with the "Newgate Calendar" complete. A couple of worn-out saddles, with rusty stirrups, hang from the top of one of the book-cases, which are enveloped with cobwebs; and a long line of veteran boots, of mouldy leather, are arrayed on the opposite side of the room. King William's picture stands over the chimney-piece, with prints of Eclipse and other celebrated racers, from which his Lordship's politics and other predilections may be collected.

He was a remarkably good horseman, and even now always appears well mounted in the streets. A servant,

dressed in an ancient livery, rides close beside him; and by his very proximity and care, assists a certain association with loneliness which has begun to attend him. He has, in truth, assumed of late a very dreary and desolate aspect. When he rode to Court, as he did every day while a Judge, he exhibited, for his time of life, great alacrity and spirit; and as he passed by Mr. Joy, whom he looked upon as his probable successor, putting spurs to his horse, he cantered rapidly along. But now he is without occupation or pursuit, and looks alone in the world. His gaiety is gone, and when he stops an old acquaintance in the street to enquire how the world wags, his voice and manner exhibit a certain wandering and oblivion, while his face seems at once dull, melancholy, and abstracted. Sometimes he rides beyond Dublin, and is to be met in lonely and unfrequented roads, looking as if he was musing over mournful recollections, or approaching to a suspension of all thought.

Not many days ago, on my return to town from a short excursion in the country, as the evening drew on, I saw him riding near a cemetery, while the chill breezes of October were beginning to grow bitter, and the leaves were falling rapidly from the old and withered trees in the adjoining church-yard. The wind had an additional bleakness as it blew over the residences of the dead; and although it imparted to his red and manly cheeks a stronger flush, still, as it stirred his grey locks, it seemed with its wintry murmurs to whisper to the old man a funeral admonition. He appeared, as he urged on his horse and tried to hurry from so dismal a scene, to shrink and huddle

himself from the blast. In anticipation of an event, which cannot be remote, (while I forgot all his political errors, and only remembered how often he had beguiled a tedious hour, and set the Four Courts in a roar,) I could not help muttering, as I passed him, with some feeling of regret, "Alas, poor Yorick!"

THE CATHOLIC BAR.

[February, 1827.]

Upon the first day of last Michaelmas term eight gentlemen were called to the Bar, of whom four were Roman Catholics. This was a kind of event in the Hall of the Four Courts, and in the lack of any other matter of interest, produced a species of excitation. There are two assortments of oaths, one for Catholics, and another for Protestants, upon their admission to the Bar. The latter still enter their protestations, in the face of Lord Manners and of Heaven, against the damnable idolatry of the Church of Rome. But when the more mitigated oath provided for the Roman Catholics happens to be rehearsed on the first day of term, it is easy to perceive an expression of disrelish in the countenance of the Court; and although it is impossible for Lord Manners to divest himself of that fine urbanity which belongs to his birth and rank, yet in the bow with which he receives the aspiring papist, there are evident symptoms of constraint; and it is by a kind of effort even in his features that they are wrought into an elaborated smile. It does not fre-

quently happen that more than one or two Roman Catholics are called in any single term; and when Lord Manners heard four several shocks given to the Constitution, and the Roman Catholic qualification-oath coming again and again upon him, it is not wonderful that his composure should have been disturbed, and that the loyal part of the Bar should have caught the expression of dismay. Mr. Serjeant Lefroy, alarmed at the repeated omissions of those pious denunciations of the Virgin Mary, by which the laws and liberty of these countries are sustained, in the very act of putting a fee into his pocket, lifted up his eyes to Heaven; and it is rumoured that another letter to my Lord Norbury has been discovered, in which the writer protests his belief, that the Bar will soon be reduced to its condition in the reign of James the Second.

In the reign of James the Second Roman Catholic barristers were raised to office; and, as the time appears to be at hand when they will be rendered eligible by law to hold places of distinction and of trust, it is worth our while to examine in what way they conducted themselves when, in the short interval of their political prosperity, Roman Catholics were invested with authority. Doctor King says, that "no sooner had the Papists got judges and juries that would believe them, but they began a trade of swearing and ripping up what they pretended their Protestant neighbours had said of King James, whilst Duke of York;" and proceeds to charge them with gross corruption in the administration of justice. The Doctor was Archbishop of Dublin. He had originally been a sizar in the university; and having afterwards obtained a fellow-

ship, gradually raised himself, by dint of sycophancy and intrigue, to one of the richest sees in the richest establishment in the world. Whether he exhibited all the arrogance of a Pontifical *parvenu;* whether he was at once a haughty priest and a consecrated jackanapes; whether he was a sophist in his creed, an equivocator in his statements, and a cobweb-weaver in his theology; whether he had a vain head, a niggard hand, and a false and servile heart, and betrayed the men who raised him, I have not been able to determine. He appears to have been an apostate in his politics. His representation of the conduct of the Catholic judges in his time is not without some episcopal characteristics, and justifies what Leslie says of him:—"Though many things the archbishop says are true, yet he has hardly spoken a true word without a warp." The best and most incontrovertible evidence (that of Lord Clarendon, the Lord-Lieutenant, and a firm Protestant) can be adduced to show how widely the statements of Doctor King vary from the fact.*

* The tract of Archbishop King alluded to was entitled *The State of the Protestants of Ireland under the late King James's Government,* and published in 1691. Very different judgments were pronounced upon this book by eminent men. Burnet describes it thus:—"So universally acknowledged to be as truly as it is finely written, that I refer my readers to the account of those matters which is fully and faithfully given by that learned and zealous prelate." Archbishop King's fame, however, does not rest upon his political treatises, but on his work *De Origine Mali,* which attracted the notice of all the philosophers of Europe, was criticised by Bayle, and pronounced by Leibnitz a work full of elegance and learning. The letters of King are among the most elegant of Swift's correspondence. By one, in which he counselled his friend to give up literary trifling, "look into Dr. Wilkins's heads of matters in his *Gift of Preaching,* select some serious subject, and manage it so as to be of use to the world," Swift was extremely and not unjustly offended. Had he

Lord Clarendon tells us that "when the Popish judges went to the assizes in the counties of Down and Londonderry, where many considerable persons were to be tried for words formerly spoken against King James, they took as much pains as it was possible to quiet the minds of the people wherever they went; and that they took care to have all the juries mingled, half English and half Irish."—(State Letters, vol. i. p. 326.) "Judge Daly," he says, "one of the Popish judges, did, at the assizes of the county of Meath, enlarge much upon the unconscionableness of inditing men for words spoken so many years before; and thereupon the jurors, the major part of whom were Irish, acquitted them;" and he adds, that, "Mr. Justice Nugent, another Popish judge, made the same declaration at Drogheda, where several persons were tried for words." Lord Clarendon further states, that he was in the habit of consulting Roman Catholics, who had been recently promoted, respecting the appointment of mayors, sheriffs, and common-council men. "I advise," he says, "with those who are best acquainted in these towns, particularly with Justice Daly, and others of the King's council of that persuasion; and the lists of names these men give me are always equal, half English half Irish, which, they say, is the best way to make them unite and live friendly together." (State Letters, vol. ii. p. 319.)

In the first volume of the State Letters, p. 292, he says, "At the council-board, there was a complaint proved against a justice of the peace; and it is remark-

written a character of the Archbishop, while smarting under his provoking candour, he could scarcely have been more bitter than Mr. Sheil, with only an historical cause of irritation.

able that several of our new Roman Catholic counsellors, though the justice was an Englishman and a Protestant, were for putting off the business; and particularly the three said Popish judges said, the gentleman would be more careful for the future." He adds that "when the Popish judges were made privy-counsellors, they conducted themselves with singular modesty,"—a precedent which I have no doubt that Mr. Blake will follow, when he shall be elevated to the vice-regal cabinet.*

Of the Roman Catholics, who were promoted in the reign of James the Second, Sir Theobald Butler, of whom such frequent mention has been recently made in the House of Commons, was by far the most distinguished. He was created Attorney-General, and discharged the duties of his office with perfect fairness and impartiality.† This very able, and, as far as renown can be obtained in Ireland, this celebrated

* Mr. Blake, who held the office of Chief Remembrancer, and of whom some account will be found in another place, was introduced into the Irish Privy Council in 1837, and conducted himself as well there as the most "modest" of the Popish judges commended by Lord Clarendon. (See the papers on *The State of Parties in Dublin.*) The Government was slow in conferring on Roman Catholics the honours and appointments which the Emancipation Act made them capable of receiving. Five years after that measure was passed (in September, 1834), we find Lord Wellesley writing to the Minister of the day—"I would also appoint some Catholics of distinctinction to the Privy Council. This would be a commencement which I can venture to assure your Lordship would be safe, and most satisfactory to the whole Catholic body of Ireland."

Though Mr. Sheil calls the Privy Council "the Viceregal Cabinet," it is scarcely necessary to observe that the Council does not share the responsibilities of the Irish Administration with the Lord Lieutenant. Lord Wellesley's parody on "*l'Etat, c'est moi,*" is well known—"The Government, Sir!—I am the Government."

† Butler was not Attorney-General: he was only Solicitor.

man, was not only without an equal, but without a competitor in his profession. Although the reputation of a lawyer is almost of necessity evanescent, yet such was the impression produced by his extraordinary abilities, that his name is to this day familiarly referred to. This permanence in the national recollection is in a great measure to be attributed to the very important part which he took in politics, and especially in the negotiation of the treaty of Limerick. His high rank, also, for he was a member of the great house of Ormond, added to his influence. As far as I have been able to form an estimate of his intellectual qualities, from such notices of him as occur in the writers of the time, and from the speech which he delivered at the bar of the Irish House of Commons, he was more remarkable for strength, brevity, condensation, and great powers of argument, than for any extraordinary faculty of elocution. The speech to which I have adverted, has none of those embellishments of rhetoric, and those splendid vices in oratory, to which the school of Irish eloquence became subsequently addicted.

The whole of this oration is cast in a syllogistic mould, and exhibits too much logical apparatus. It was, I believe, the fashion of the time: still the vehemence of passion breaks through the artificial regularity of reasoning, and while he is proceeding with a series of propositions, systematically divided, the indignant emotions, which the injuries of his country could not fail to produce, burst repeatedly and abundantly out: in the midst of all the pedantic forms of scholastic disputation, Nature asserts her dominion; he gives a loose to anguish, and pours forth his heart.

Sir Theobald Butler had not only been among the besieged Catholics at Limerick, but was employed by his countrymen to settle the articles of capitulation. His name appears on the face of the treaty as one of the parties with whom, on behalf of the Irish, it was concluded. When in the year 1703, only twelve years after the articles had been signed, a bill (the first link of the penal code) was introduced into parliament, the effect of which was utterly to abrogate those articles, the eyes of the whole nation were turned upon the man who had been instrumental in effecting that great national arrangement. Independently of his great abilities as an advocate, he presented in his own person a more immediate and distinct perception of that injustice which was about to be exercised against the body of which he was the ornament, and to which his eloquence now afforded their only refuge.

In a book entitled "An Account of the Debates on the Popery Laws," it is stated that the Papists of Ireland, observing that the House of Commons was preparing the heads of a bill to be transmitted to England to be drawn into an act to prevent the growth of Popery, and having in vain endeavoured to put a stop to it there, at its remittance back to Ireland presented to the House of Commons a petition praying to be heard by their counsel against the bill, and to have a copy of the bill, and to have a reasonable time to speak to it before it passed, when it was ordered that they should be heard.

Upon Tuesday, the 22nd of February, 1703, Sir Theobald Butler appeared at the bar, and, with the treaty of Limerick in his hand, requested, on behalf of the Irish Roman Catholics, to be heard. It must have

been a very remarkable scene. Whether we consider the assembly to which the remonstrance was addressed, or the character and condition of the body on whose behalf it was spoken, whose leading nobles, and they were then numerous, stood beside their advocate at the bar of the House, we cannot but feel our minds impressed with a vivid image of a most imposing, and in some particulars a very moving spectacle. The first advocate of his time, who was himself a principal party in the cause which he came to plead, stood before a Protestant House of Commons; while below the bar were assembled about their counsel the heads of the Roman Catholic aristocracy. The latter constituted a much more extensive and differently constituted class of men from those by whom they have been succeeded. They had been born to wealth and honour: they had been induced, by a sentiment of chivalrous devotion, to attach themselves to the fortunes of an unhappy prince. The source of their calamities was in a lofty sentiment. Almost all of them had been soldiers; scarce a man of them but had carried harness on his back. They were actuated by the high and gallant spirit which belongs to the profession of arms. On the banks of the Boyne, on the hill of Aughrim, and at the gates of Limerick, they had given evidences of valour, which, although unavailing, was not the less heroic. They had been worsted, indeed; but they had not been subdued: they had been accustomed to consider their priviliges as secured by a great compact, and in substituting the honour of England for the bastions of Limerick, they looked upon their liberties as protected by still more impregnable muniments.

It is easy to imagine the dismay, the indignation, and

the anguish with which these gentlemen must have seen a statute in rapid progress through the legislature, which would not only have the effect of violating the treaty of Limerick, and reduce them to a state of utter servitude, but, by holding out the estate of the father as a premium for the apostacy of the child, would inculcate a revolt against the first instincts of nature, and the most sacred ordinances of God. Their advocate, at least, saw the penal code in this light. "Is not this," he exclaimed, "against the laws of God and man, against the rules of reason and justice; is not this the most effectual way in the world to make children become undutiful, and to bring the grey head of the parent to the grave with grief and tears?" In speaking thus, he did no more than give vent to the feelings which, being himself a father, he must have deeply experienced; and the heart of every parent whose cause he was pleading, must have been riven by their utterance.

If there was something imposing in the sight of so many of the old Catholic nobility of Ireland, of so many gallant soldiers, gathered round their counsel in a group of venerable figures, (for most of those who had fought in the civil wars were now old,) the assembly to which they were come to offer their remonstrances must have also presented a very striking spectacle. The Irish House of Commons represented a victorious and triumphant community. Pride, haughtiness, and disdain, the arrogance of conquest, the appetite of unsatisfied revenge, the consciousness of masterdom, and the determination to employ it, must have given this fierce and despotic convention a very marked character. Most of its members, as well as their Roman Catholic supplicants, had been soldiers; and to the gloom of Puritanism,

to which they were still prone, they united a martial and overbearing sternness, and exhibited the flush of victory on their haughty and commanding aspect.*

To this day, there are some traces of lugubrious peculiarity in the descendants of the Cromwellian settlers in Ireland; at the period of which I speak, the children of the pious adventurers must have exhibited still deeper gloom of visage, and a darker severity of brow. In addressing an assembly so constituted, and in surveying which an ordinary man would have quailed, Sir Theobald Butler had to perform a high and arduous duty. How must he have felt, when, advancing to the bar of the House, he threw his eyes around him, and beheld before him the lurid looks and baleful countenances of the Protestant conquerors of his country, and saw beside him the companions of his youth, the associates of his early life, many of them his own kindred, all of them his fellow-sufferers, clinging to him as to their only stay, and substituting his talents for the arms which he had persuaded them to lay down! The men whom he had seen working the cannon at the batteries of Limerick, stood now with no other safeguard but his eloquence, at the mercy of those whom they had fought in the breach and encountered in the field. An orator of antiquity mentions that he never rose to speak upon an important occasion without a tremor: —when the advocate of a whole people rose in the deep hush of expectation, and in all that thrilling silence which awaits the first words of a great public speaker, how must his heart have throbbed!

* We are reminded of the members of the "Legion Club," a quarter of a century later.

Sir Theobald Butler's speech (I dwell thus long upon the subject, because the event which produced it has been attended with such important consequences, and the arguments of the Roman Catholic Barrister have lately excited a good deal of parliamentary notice,*) comprehends almost every reason which can be pressed against the enactment of the penal code, as a violation of public faith. He did not however confine himself to mere reasoning upon the subject, but made an attempt to touch the feelings of his Protestant auditors. He has drawn a strong and simple picture of the domestic effects of the penal code in the families of Roman Catholics, by transferring the estate of the father to his renegade son. "That the law should invest any man with the power of depriving his fellow-subject of his property would be a grievance. But my son—my child—the fruit of my body, whom I have nursed in my bosom, and loved more dearly than my life—to become my plunderer, to rob me of my estate, to take away my bread, to cut my throat—it is enough to make the most flinty heart bleed to think on it. For God's sake, gentlemen, make the case your own," &c.†

* In the debate of 1825, on the motion of Sir Francis Burdett for a Committee on the Catholic Claims. He described the infraction of the Treaty of Limerick as "a dreary and disgraceful passage in the history of Ireland." In the discussion of 1828, Sir Francis went still more fully and elaborately into the question.

† Extracts from Sir Theobald Butler's speech were given about a year ago in the *Etoile* newspaper, which in a series of articles on Ireland contributed to produce that calculation upon the feelings of the Roman Catholic body recently evidenced in the debates of the French parliament. The following is the translation of the passage referred to, which appeared in the *Etoile*:—" Grand Dieu! est-ce que cette loi feroce n'est pas une

This adjuration exhibits no art of phrase, but it has nature, which, as was observed by Dryden of Otway's plays, is after all the greatest beauty. Those simple words, which contained so much truth, cannot be read without emotion; but how far greater must have been their effect when uttered by a parent, who was lifting up his voice to protect the sanctuaries of nature against violation. In what tone must a father have exclaimed, "it would be hard from any man, but from my son, my child, the fruit of my body, whom I have nursed in my bosom!" Surely in the utterance of this appeal, not by a mere mercenary artificer of passion, but by a man whom everybody knew to be speaking the truth, and whose trembling hands and quivering accents must have borne attestation to his emotions, the sternest and most resolved of his judges must have relented, and,

révolte contre la loi primitive de la nature, qui est gravée par Dieu lui-même dans le cœur humain? Un code qui donnerait à qui que ce soit le droit détestable de me priver des mes biens à cause de ma croyance dans la religion de mes pères serait tyrannique et exécrable. Mais mons fils, mon enfant, le fruit de mon propre corps, celui à qui j'ai donné une vie plus chère que la mienne, et qui porte mon sang dans son cœur! que mon fils soit l'instrument fatal de ce code de brigands, que ce soit lui qui me perce le sein, qui me plonge un poignard dans le cœur, qui me pousse avec mes cheveaux blancs dans la tombe! Vous Protestants que vous êtes, montrez que vous êtes hommes, et songez que vous achetez des proselytes par des moyens qui font horreur à la nature, et dont la seule pensée fait navrer le cœur d'un père."*—A.

* The articles in the *Etoile* (afterwards the *Gazette de France*), were the productions of Mr. Sheil himself, who was an excellent French scholar, and wrote the language with ease and correctness. They attracted considerable attention in Paris, and had an important reaction upon the Government in England.—Ed.

like the evil spirit at the contemplation of all the misery he was about to inflict,

> "for the time remained
> Of enmity disarmed."

And if the hearts of the Protestant confiscators were touched, did not the tears roll down the faces of the unfortunate Catholics who stood by—did they not turn to sob in the bosom of their children, and clasping them in their arms inquire, in the dumb eloquence of that parental embrace, "whether they would ever strike the poignard with which the law was about to arm them, into their breasts?" Their advocate did not, however, merely appeal to the sensibilities of his auditors, but swept his hand over strings by which a still deeper vibration must have been produced.

He assumed a loftier and a bolder tone. He raised himself up to the full height of his mind, and appealing to the principles of eternal truth and justice, denounced the vengeance of Heaven on those who should be so basely perfidious as to violate a great and sacred compact; and was sufficiently courageous to remind a Protestant House of Commons that the treaty of Limerick had been signed, "when the Catholics had swords in their hands." This was a stirring sentence, and sent many a heart-thrilling recollection into the hearts of those to whom it was addressed. The prince of the conquerors must have started, and the conquered must have looked upon hands in which there were swords no more.

It is recorded of an ancient orator, that he exercised over the minds of his hearers an influence so powerful,

that his description of a battle was interrupted by the exclamation of a soldier who had been present at the engagement, and whom the spell of eloquence had carried back to the field. Even at this day, every reference to the siege of Limerick produces an extraordinary excitation in Roman Catholic assemblies;* and if the descendants of those whose rights were secured by the treaty of Limerick, recur with indignation to the incidents of that celebrated siege, to what a point of excitement must the gallant cavaliers by whom the advocate of the Irish nation was surrounded, have been wrought, when he, who was himself a party to that great national indenture, with that deep and solemn tone and that lofty gravity of demeanour for which he was remarkable, recalled the events in which almost every man who heard him had borne a conspicuous part. It is in the remembrance of such scenes that memory may be justly called "the actor of our passions o'er again."

I do not think that I am guilty of any exaggeration when I say, that in appealing to the time when the Roman Catholics had arms in their hands, the advocate of their rights and the representative of their emotions must have brought back many a martial recollection to the clients, in whose front he stood, and whose cause he was so emphatically pleading. The city, from which William at its first siege, with an army of thirty thousand men, had been driven back—the fortress which art and nature had conspired to make strong,

* On several occasions, during his career of agitation, Mr. Sheil availed himself powerfully of this exciting topic.

and which valour and constancy would have rendered impregnable, must have risen before them. All the glorious circumstance incidental to their former occupation must have returned. The shout of battle, the roar of the cannon, the bloody fosse, the assault and the repulse, the devotion and abandonment with which whole regiments rushed through the gates, and precipitated themselves into imaginary martyrdom—Sarsfield upon the battlements, the green flag floating from the citadel, and the cry of "Help from France!"—these must have been among the recollections which were awakened by their advocate, while he appealed to the time "when they had arms in their hands," and stood in the fire of their batteries, and not at the threshold of the House of Commons.

But if the sentiment of martial pride was rekindled for an instant, how quickly it must have gone out, and how soon those emotions must have collapsed into despair. They must have known, for the countenances of their victors must have apprised them, that they had nothing to expect but servitude and all the shame that follows it; and then indeed they must have mourned over the day, when at the head of a powerful army, in a strong fortification, with several garrison towns still in their possession, with a great mass of the population ready to rush again to the field, and with a French fleet freighted with arms and with troops in the Shannon, they had been induced, upon the faith of a solemn compact, to lay down their swords, and put their trust in the honour of the King and the integrity of his people. They must have cursed the day, when, instead of adding their bones to the remains of those

who lay slaughtered in the trenches of Limerick, they survived to behold the Protestants of Ireland taking advantage of that fatal surrender, and in defiance of the most solemn compacts, in violation of a clear and indisputable treaty, not only excluding them from the honours and privileges of the state, but wresting their property from their hands, instituting a legalized banditti of "discoverers," exciting their children into an insurrection against human nature, converting filial ingratitude into a merit, and setting up parricide as a newly-invented virtue, in the infernal ethics of the law.

As Sir Theobald Butler had anticipated, (for he intimates it in an involuntary expression of despondency), his arguments were of little avail, and he lived long enough to see the penal code carried to its atrocious perfection, and chain after chain thrown upon his country. He even survived an Act of Parliament by which Roman Catholics were excluded from the profession in which he had earned fortune and renown. It is a common notion that he changed his religion in order to avert the evils which he so powerfully described; but I was informed by his grandson, Mr. Augustine Butler, that he died in the religion in which he had lived, and that his great estates became in consequence equally divisible among his children. He was interred in the churchyard of St. James's church in Dublin, where a huge but rather uncouth monument has been raised to his memory. His epitaph differs from most obituary panegyrics, by the adherence of encomium to truth. It is inscribed under a rude and now mutilated bust, and runs as follows:

Designatur hac effigie
Theobaldus e gente Butlera
Hibernus Jurisconsultus
Legum, Patriæ, nominis decus
Dignitate equestri donatus, non auctus
Causidicus
Argutus, concinnus, integer
Barbarie forensi, et vernaculâ disertus
Non partium studio
Non favoris aucupio
Non verborum lenocinio
Sed rerum pondere
Et ingenii vi insitâ
Et legum scientia penitiori
Pollens
Quem lingua solers, illibata fides
Comitate et sale multo condita gravitas
Quem vitæ tenor sincerus
Et recti custos animus
Legum recondita depromere sagax
Ad famæ fastigium evexere
Fortunæ etiam, ni religio obstaret, facile evexissent.
Obiit Septuagenarius XI Martii, 1720.

Notwithstanding the exclusion of Roman Catholics from the Bar, the expedient which was adopted for the purpose does not appear to have been found effectual. A certificate of conformity was all that was required, and this certificate was so easily obtained, that the members of the obnoxious religion were still able to creep and steal into the profession. The letters of Primate Boulter, who governed Ireland for a considerable time, and whose simple maxim it was to keep Ireland divided, in order that her dependency might be secured, give us a very curious insight into the state of the Irish Bar in the year 1727. In a letter dated the 7th of March, 1727, he writes: "There is a bill gone over

to regulate the admission of barristers, attornies, six-clerks, solicitors, sub-sheriffs, &c. which is of the last consequence to this kingdom. The practice of the law, from the top to the bottom, is at present mostly in the hands of new converts, who give no further security on this account, than producing a certificate of their having received the sacrament in the Church of England or Ireland, which several of them, who were Papists in London, obtain in the road hither, and demand to be admitted barristers in virtue of it at their arrival, and several of them have *Popish wives*, and have mass said in their houses. Everybody here is sensible of the terrible effects of this growing evil, and both Lords and Commons are most eagerly desirous of this bill."—Boulter's Letters, vol. i. p. 179.

The horror entertained by his Grace of Dublin for barristers, whose better-halves were infected with Popery, appears ludicrous at this day. Doctor Boulter considered the division of allegiance at the Bar between the law and the fair sex as highly dangerous to the security of the Established Church, and would have taken "*au pied de la lettre*" what Lord Chesterfield said of the beautiful Lady Palmer,* that she was the

* The writer of this article was acquainted with Lady Palmer, when she was upwards of one hundred years of age. The admiration which Lord Chesterfield is known to have entertained for this lady induced me to seek an introduction to her. Although rich, she occupied a small lodging in Henry-street, where she lived secluded and alone. Over the chimneypiece of the front drawing-room was suspended the picture of her platonic idolater. It was a half-length portrait, and had, I believe, been given to her by the man of whose adoration she was virtuously vain. I was engaged in looking at this picture, while I waited, on the day of my first introduction, for this pristine beauty of the

only "dangerous Papist" he had ever seen in Ireland. I know not, however, whether the feeling by which

Irish Court. While I gazed upon the picture of a man who united so many accomplishments of manner and of mind, and observed the fine intellectual smile, which the painter had succeeded in stealing upon animated canvass, I fell into a somewhat imaginative strain of thought, and asked myself what sort of woman "the dangerous Papist" must have been, in whom the master of the graces had found such enchanting peril. "What a charm," I said, "must she have possessed, upon whose face and form those bright eyes reposed in illuminated sweetness,—how soft and magical must have been the voice on whose whispers those lips have hung so often, what gracefulness of mind, what an easy dignity of deportment, what elegance of movement, what sweet vivacity of expression, how much polished gaiety and bewitching sentiment must have been united! I had formed to myself an ideal image of the young, the soft, the fresh, the beautiful, and tender girl, who had fascinated the magician of so many spells. The picture was almost complete. The Castle in all its quondam lustre rose before me, and I almost saw my Lord Chesterfield conducting Lady Palmer through the movements of a minuet, when the door was slowly opened, and in the midst of a volume of smoke, which during my phantasmagoric imaginations had not inappropriately filled the room, I beheld in her own proper person the being, in whose ideal creation I had indulged in a sort of Pygmalian dream.....The opening of the door produced a rush of air, which caused the smoke to spread out in huge wreathes about her, and a weird and withered form stood in the midst of the dispersing vapour. She fixed upon me a wild and sorceress eye, the expression of which was aided by her attitude, her black attire, her elongated neck, her marked and strongly moulded but emaciated features. She leaned with her long arm and her withered hand of discoloured parchment upon an ivory-headed cane, while she stretched forth her interrogating face, and with a smile, not free from ghastliness, inquired my name. I mentioned it, and her expression, as she had been informed that I was to visit her, immediately changed. After the ordinary formulas of civility, she placed herself in a huge chair, and entered at once into politics. She was a most vehement Catholic, and was just the sort of person that Sir Harcourt Lees would have ducked for a rebel and a witch. Lord Chesterfield and the Catholic Question were the only subjects in which she seemed to take any interest. Upon the wrongs done to her country, she spoke not only with energy, but with eloquence,

Doctor Boulter was influenced, be wholly extinct. I do not mean to say that Lord Wellesley would object to a barrister on account of his "having a Popish wife, and mass said in his house;" but it is observable that of the three Catholic barristers who have been promoted under his Lordship's administration, by a strange matrimonial coincidence every one is married to a Protestant.

The bill sent over by Primate Boulter was carried, and Catholics were effectually excluded from the Bar. From 1725 to 1793 lawyers earnestly and strenuously professed the doctrines of the State; and although upon his death-bed many an orator of renown supplicated in a Connaught accent for a priest, yet his lady, whose gentility of religion was brought into some sort of question, and who would have considered it as utterly derogatory to set up a widow's cap to the memory of a relapsed Papist, either drowned the agonies of conscience in the vehemence of her sorrows, or slapped the door in

and with every pinch of snuff poured out a sentence of sedition. "Steth, Sir, it is not to be borne," she used to exclaim, as she lifted her figure from the stoop of age, with her eyes flashing with fire, and struck her cane violently to the ground. Wishing to turn the conversation to more interesting matter, I told her I was not surprised at Lord Chesterfield having called her "a dangerous Papist." I had touched a chord, which, though slackened, was not wholly unstrung. The patriot relapsed into the woman; and passing at once from her former look and attitude, she leaned back in her chair, and drawing her withered hands together, while her arms fell loosely and languidly before her, she looked up at the picture of Lord Chesterfield with a melancholy smile. "Ah!" she said ——But I have extended this note beyond all reasonable compass. I think it right to add, after so much mention of Lady Palmer, that although she was vain of the admiration of Lord Chesterfield, she took care never to lose his esteem, and that her reputation was without a blemish.

the face of the intrepid Jesuit, who had adventured upon the almost hopeless enterprise of saving the soul of the expiring counsellor.

The Bar gradually assumed a decidedly Protestant character; and although an occasional Catholic practised as a conveyancer, yet none obtained any celebrity in the only department of the law from which Roman Catholics were not actually excluded. Indeed they held so low a place, that it appears to have been a kind of disrepute to have had anything to do with them; and I remember to have read, in the cause of Simpson against Lord Mountnorris, the deposition of a witness, who stated as a ground for impeaching a deed executed by the Earl of Anglesea, that it was drawn by a Papist. Roman Catholics were at this period excluded from the English, as well as from the Irish Bar; but Booth, the great conveyancer, was a Roman Catholic, and, before the professors of his religion were admissible to the rank of counsel, Mr. Charles Butler, of Lincoln's-inn, had obtained great fame.

In the year 1793 the great act for the relief of the Roman Catholics was passed. It was a piece of niggard and preposterous legislation; all, or nothing, should have been conceded. The effect of a partial enfranchisement was to give the means of acquiring wealth, influence, intelligence, and power, and yet withhold the only legitimate means of employing them. The Roman Catholics were not admitted into, but brought within reach of, the constitution. They were still placed beyond the State, and were furnished with a lever to shake it. They obtained that external "point d'appui" from which they have been enabled to exercise a disturbing power.

The extension of the elective franchise to men who were at the same time declared to be ineligible to parliament, and the admission of Catholics to the Bar while they were denied its honourable rewards, are conspicuous instances of impolicy. The late Mr. George Ponsonby was strongly impressed with the imprudence of allowing Roman Catholics to enter the race of intelligence, and yet shut up the goal.* He felt that the government were disciplining troops against themselves, and insisted on the absurdity of exciting ambition, and at the same time closing the avenues to its legitimate gratification. He saw that so far from conciliating the Roman Catholic body by so imperfect and lame a measure of relief, their indignation would rather be provoked by what was refused, than their gratitude be awakened by what was granted: desire would be inflamed by an approach to its object, while it was denied its natural and tranquillizing enjoyment. Mr. Ponsonby's anticipations were well founded, and are going through a rapid process of verification.

The first Roman Catholics who took advantage of the enabling statute, were Mr. Donnellan, Mr. Mac Kenna, Mr. Lynch, and Mr. Bellew. Every one of those gentlemen (*quod nota*, as Lord Coke says in his occasional intimations to the Junior Bar) was provided for by Government. Mr. Donnellan obtained a place in the revenue; Mr. Mac Kenna wrote some very clever political tracts, and was silenced with a pension;

* Mr. George Ponsonby was Chancellor of Ireland under the "Talents" Administration. He died in 1817. The argument drawn from the concessions of 1793 was never more happily put than by Mr. John Wilson Croker, in his tract entitled *A Sketch of the State of Ireland, Past and Present*, published anonymously in 1808. Few political pamphlets keep the shelf by virtue of their literary merit. This is one of the few.

Mr. Lynch married a widow with a pension, which was doubled after his marriage; and Mr. Bellew is in the receipt of six hundred pounds a year, paid to him quarterly at the Treasury. The latter gentleman is deserving of notice. Whether I consider him as an individual, as the representative of the old Catholic aristocracy at the Bar, as a politician, a religionist, or a pensioner, I look upon this able, upright, starch, solemn, didactic, pragmatical, inflexible, uncompromising, obstinate, pious, moral, good, benevolent, high-minded, and exceedingly wrong-headed person, as in every way entitled to regard.

MR. WILLIAM BELLEW.

[FEBRUARY, 1827.]

MR. WILLIAM BELLEW is a member of one of the most distinguished Roman Catholic families in Ireland. There was formerly a peerage attached to his name, which was extinguished in an attainder. A baronetcy was retained. His father, Sir Patrick Bellew, was a man of a high spirit, distinguished for his munificence, and that species of disastrous hospitality, by which many a fine estate was so ingloriously dismembered. He constituted a sort of exception among the Catholic gentry; for at the time when that body sank under the weight of accumulated indignities, Sir Patrick Bellew exhibited a lofty sense of his personal importance, and was sufficiently bold to carry a sword. His property descended to his eldest son, Sir Edward Bellew.* Mr. William Bellew, the barrister, who was his second son, was sent to the Anglo-Saxon university of Douay, from whence he returned with all the

* Sir Edward was father of the present Lord Bellew, who, when Sir Patrick Bellew, represented the county of Louth, and in 1838 was made a Privy Counsellor. The peerage was restored in 1848.

altitude of demeanour for which his father was remarkable, but with a profound veneration for all constituted authorities, of whatever nature, kind, or degree, and with abstract tendencies to political submission, which are by no means at variance with a man's interests in Ireland.

He was one of the first Roman Catholics called to the Bar, and I have understood from some of his contemporaries, that, as he represented the Catholic gentry, and was considered to take a decided lead in their proceedings, in his first appearance in the Four Courts he attracted much notice. His general bearing produced a sort of awe; and it was obvious that, as Owen Glendower says, "he was not in the roll of common men." His lofty person, his stately walk, his perpendicular attitude, the rectilineal position of his head, his solemnity of gesture, the deep and meditative gravity of his expression, his sustained and measured utterance, the deliberation of his tones, his self-collectedness and concentration, and that condensed, but by no means arrogant or overweening, look of superiority by which he is characterized, fixed an universal gaze upon him; and from the contrast between him, and the rapid, bustling, and airy manner of most of his brethren, excited a general curiosity. Heedless of observation, and scarcely conscious of it, the forensic aristocrat passed through the throng of wondering spectators, and as Horatio says of the Royal Dane,

> "with solemn march
> Went slow and stately by them."

There was indeed something spectral in his aspect. The phantom of the old Catholic aristocracy seemed to

have been evoked in his person, while the genius of Protestant ascendancy shrunk before its majestic apparition. All idea of checking "the growth of Popery" vanished in an instant at his sight; the only man who could compete with him in longitude of dimensions being Mr. Mahaffy; but that gentleman's stupendous length sat uneasily upon him, whereas the soul of the lofty Papist seemed to inhabit every department of his frame, and would have disdained to occupy any other than its sublime and appropriate residence. High as his port and demeanour were, they were wholly free from affectation. With a great deal of pride he manifested neither insolence nor conceit. He looked far more dignified than authoritative; and although a strong expression of austerity was inscribed upon his countenance, it was by no means heartless or even severe.

If I were a painter and were employed to furnish illustrations of Ivanhoe, I do not think that I could find a more appropriate model than Mr. Bellew for the picture of Lucas Beaumanoir. His visage is inexorable without fierceness; and many a time hath he been observed fixing his immitigable eye upon a beauty in the dock at the assizes of Dundalk, with that expression with which the Grand Master is represented to have surveyed the unfortunate Jewess. His friend Mr. Mac Kenna used to observe, that "if William Bellew saw a man hanging from every lamp-post down Capel Street, in his morning walk from Great Charles Street to the Four Courts, the only question he would ask would be whether they were hanged according to law?"

Mr. Bellew came with signal advantages to the Bar. He was closely connected with the oldest and most

opulent Roman Catholic families, and was employed as their domestic counsel. Their wills, their purchases, and marriage articles were drawn under his inspection. It was, I have heard, not a little agreeable to behold Mr. Bellew going through a marriage settlement, where an ancient Catholic family was to be connected with an inferior caste. In Ireland, as well as in the sister country, the pride of birth prevails among the Roman Catholic gentry beyond almost any other passion. As in England we find an universal diffusion of cousinship through the principal Catholic houses, so the ancient blood of the Catholics of the Pale has been, by a similar process of intermarriage, carried through an almost uniform circulation.

This pride of birth among the Catholic gentry, when excluded from political distinction, was perfectly natural. Having no field for the exercise of their talents, and without any prospect of obtaining an ascent in society through their own merits, they looked back to the achievements of their ancestors, and consoled themselves with the brilliant retrospect. While a young Irish Protestant threw himself into the field of politics, an Irish Catholic was left without the least scope for enterprise, and had scarce any resource, but to pace up and down the damp apartments of his family mansion, and to commune with the high plumed warriors of the Pale, who frowned in mouldering paint before him. The young ladies too were instructed to look with emulation on the composed visages of their grand-aunts, and to reverence the huge circumference of hoop in which their more sacred symmetries were encompassed and concealed. For a considerable time it was possible to maintain the dignity of the Roman

Catholic families without any plebeian intercourse; but at last the pressure of mortgages and judgments became too great, and it was requisite to save the estate at the expense of the purity of its owner's blood. After a struggle and a sigh, the head of an old Catholic house resigned himself to the urgency of circumstances, and yielded to the necessity of intermingling the vulgar stream, which had crept through the grocers and manufacturers of the Liberty,* with a current which, however pure, began to run low.

A priest, a friend of the family, who, as matrimony is one of the seven sacraments, thinks himself in duty bound to promote so salubrious a rite, is consulted. He gives a couple of taps to his gold snuff-box, tenders a pinch to the old gentleman, protests that there are risks in celibacy, that it is needful to husband the constitution and the estate, and observing that the young squire, though a little pale, is a pretty fellow, puts his finger to his nose, and hints at a young damsel in New-row (a penitent of his reverence, and a mighty good kind of young woman, not long come from the Cork convent), with ruddy cheeks, and vigorous arms, a robust waist and antigallican toes. The parties are brought together. The effect of juxtaposition is notorious: most of my readers know it by experience. The young gentleman stutters a compliment, the heart of the young lady and her wooden fan are in a flutter; the question is popped. The old people put their heads

* A manor of the Earls of Meath in the city of Dublin; formerly, like Spitalfields, the seat of a thriving silk manufacture, now a poor and dilapidated faubourg. New Row, mentioned lower down, is a street in the district. In the paper entitled *The Tabinet Ball*, the author has graphically described the miseries of "the Liberty."

together. Consideration of the marriage, high blood, and equity of redemption upon one side; and rude health and twenty thousand pounds on the other. The bargain is struck; and to ensure the hymeneal negotiation, nothing remains but that Counsellor Bellew should look over the settlements.

Accordingly, a Galway attorney prepares the draft marriage settlement, with a skin for every thousand, and waits on Mr. Bellew. Laying thirty guineas on the table, and thinking that upon the credit of such a fee he may presume to offer his opinion, he commences with an ejaculation on the fall of the good old families, until Mr. Bellew, after counting the money, casts a Caius Marius look upon him, and awes him into respect. He unrolls the volume of parchment, and the eye of the illustrious conveyancer glistens at the sight of the ancient and venerable name that stands at the head of the indenture. But as he advances through the labyrinth of limitations, he grows alarmed and disturbed, and on arriving at the words "on the body of the said Judy Mac Gilligan to be begotten," he drops his pen, and puts the settlement away, with something of the look of a Frenchman, when he intimates his perception of an unusually bad smell. It is only after an interval of reflection, and when he has recalled the fiscal philosophy of Vespasian, that he is persuaded to resume his labours, but does not completely recover his tranquillity of mind, until turning the back of his brief, he marks that most harmonious of all monosyllables "paid," at the foot of the consolatory stipend.

No man at the Bar is more exact, careful, technical, and expert in conveyancing than Mr. Bellew. He at

one time monopolized the whole Catholic business. Nor was it to the Roman Catholic body that his reputation as a lawyer was confined. He deservedly obtained a very high character with the whole public for the extent of his erudition, his familiar knowledge of equity and of the common law, the clearness of his statements, the ingenuity and astuteness of his reasoning, and for that species of calm and deliberative elocution which is of such importance in the Court of Chancery.

I look upon Mr. Bellew as a man who has most grievously suffered by his exclusion from the inner bar, from which nothing but his religion could have kept him. It was in the Court of Chancery that his business lay almost entirely; and in that court it is absolutely necessary to have a silk gown, in order to be listened to with ordinary attention. The reason is this: not that the Chancellor pays no respect to any individual who is not in silk attire, but because the multitude of King's Counsel who precede a lawyer in a stuff gown of necessity exhaust the subject, and leave him the lees and dregs of the case. Mr. Bellew has lived to see his inferiors in talent and in knowledge raised above his head, and it is now his doom, at the end of a cause, to send his arguments like spent shot, after the real contest has been decided, and the hot fire is over. His situation would be very different indeed, if it were his office to state cases, and open important motions, for which no man is more eminently qualified.

The whole Bar feel that he labours under a great hardship in this particular, for which a pension of 600*l*. a-year affords a very inadequate compensation. Mr. Bellew's pension of 600*l*. has effectually excluded him

from all useful interference in Roman Catholic affairs; for whenever he opposes a popular measure, it is sufficient to refer to his salary at the Castle, in order to excite the popular feeling against him. He has, however, upon this subject been a good deal misrepresented, and it is only an act of justice to him to state the facts.

The Catholic aristocracy supported the Union. They were led astray by a promise from Lord Cornwallis, and by such an intimation from Pitt as induced him to resign. I do not intend to discuss the merits of the question, but can readily conceive that many a good man might have advocated the measure, without earning for his motto, "Vendidit hic auro patriam." I am fully convinced, from what I know of the honourable cast of Mr. Bellew's mind, that he never did promote the measure from any sordid views to his own interest. Lord Castlereagh was well aware of the importance of securing the support of the leading Roman Catholic gentry, and the place of assistant barrister was promised to Mr. Bellew. Whether the promise was made before or after the Union, I am not aware; nor is it of consequence, excepting we adopt the scholastic distinction of Father Foigard,* in his argumentative assault upon Cherry's virtue: "If it be before, it is a bribe; if it be after, it is only a gratification." At all events, I am convinced that Mr. Bellew did nothing at variance with honour and conscience from any mercenary consideration. The place of assistant barrister became vacant: Lord Castlereagh was reminded of his engagement, when, behold! a petition, signed by the magis-

* The Irish priest in the *Beaux Stratagem*, who was "educated in France but *borned* in Brussels."

trates of the county, to which Mr. Bellew was about to be nominated, is presented to the Lord Lieutenant, praying that a Roman Catholic should not be appointed to any judicial office, and intimating their determination not to act with him. The government were a good deal embarrassed by this notification; and in order at once to fulfil the spirit of their contract, and not to give offence to the Protestant magistrates, a pension equivalent to the salary of a chairman was given to Mr. Bellew, and he was put in the enjoyment of the fruits of the office, without the labour of cultivation.

That it was reprehensible on the part of the Irish government, to tax the people with an additional pension, out of a miserable dread of irritating a few Protestant gentlemen, cannot, I think, be questioned: and but few persons will be inclined to attach any great blame to Mr. Bellew for having accepted of this compensation. It would be very idle, however, to enter into any explanation upon these subjects with the Roman Catholic body, among whom the very name of pensioner, connected as it is with all sorts of back-door and postern services at the Castle, carries a deep stigma. No matter how well Mr. Bellew may argue a point at a Catholic assembly; no matter how cogent and convincing his arguments may be in favour of a more calm and moderate tone of proceedings; the moment Mr. O'Connell lifts up his strong arm, and with an ejaculation of integrity "thanks his God that he is not a pensioner!" all the Douay syllogisms of Mr. Bellew vanish at the exclamation, and yells and shouts assail the retainer of government from every side. Had he the eloquence of Demosthenes, the clinking of the gold would be heard amidst the thunder.

Yet I entertain no doubt that Mr. Bellew has not, in his political conduct, been actuated by any mean and dishonest motive. I utterly dissent from him in his views, principles, and opinions; but I believe that he is only acting in conformity with impressions received at a very early period, which his education and habits tended not a little to confirm. His first opinions were formed at a period when the Roman Catholic aristocracy was actuated by a spirit very different from that which it has lately evinced. Much condemnation has been attached to that body for their want of vigour in the conduct of Catholic affairs. But allowances ought to be made for them. The penal code had after a few years ground the gentry almost to powder. They lived in a state of equal terror and humiliation. From their infancy they were instructed to look upon every Protestant with alarm; for it was in the power of the meanest member of the privileged class to file a bill of discovery, and strip them of their estates. At their ordinary meals, they must have regarded their own children with awe, and felt they were at their mercy. Swift represents the whole body as little better than hewers of wood and drawers of water.

The complication of indignities to which they were exposed must necessarily have generated bad moral influences; and accordingly we find in their petitions and remonstrances a tone of subserviency at which their descendants would blush. Even after the penal code was relaxed, and they were restored to the rank of citizens, they preserved the attitude of humility to which they had been accustomed; and when the load which they had carried so long was taken off, they retained a stoop. At length, however, they stand erect in their

country; and with very few exceptions, exhibit the same spirit as the great mass of the people. Lord Fingall, though prevented by his health from taking an active part in public affairs, gives evidence of his assent to the bold and vigorous course of measures adopted by the body, of which he is the hereditary head, by the presence of his son. The latter, Lord Killeen, manifests as much energy and determination as he does sound sense and admirable discretion. Lord Gormanstown has thrown himself with enthusiasm into the national cause, and feels the injuries of his country with a deep and indignant sensibility; and even Lord Kenmare, whose love of retirement excludes him from the bustle of public meetings, lends to the Catholic Association the authority of his name, and shows that the spirit of patriotism has penetrated the deep woods of Killarney, in which his lordship and his excellent lady (the sister of Mr. Wilmot Horton) are connubially embowered. I should not omit to add, that Sir Edward Bellew and his son, who is a young man of very considerable abilities, and likely to make a distinguished figure, displayed during the late election for the county of Louth great public spirit, energy, and determination.*

But amidst this almost universal change in the general temperature of the country, amidst this general ascent of the mercurial spirit of the people, Mr. William Bellew remains at zero. Not the smallest influence is perceptible in the cold rigidity of his opinions. True to the doctrine of non-resistance, he brings up in its support, the whole barbarous array of syllogistic forms

* The son of Sir Edward alluded to is the present Lord Bellew.

with which his recollections of Douay can supply him. It is in vain that the rapid progress of the Catholic cause is urged against him: you appeal in vain to the firmness, union, and organization of the people, which have been effected through the Catholic Association: the insurrection of the peasantry against their landlords, and the consequent sense of their own rights with which they have begun to be impressed, are treated with utter scorn by this able dialectician, who meets you at every step with his major drawn from religion, and his minor derived from passive obedience, and disperses your harangue with his peremptory conclusion.

Nor is it to speculation that he confines his innate reverence for the powers that be; for after the dissolution of the old Roman Catholic Association by an Act of Parliament, when an effort was making to raise another body out of its ruins, of his own accord Mr. Bellew gratuitously published a letter, in the public journals, to demonstrate to the Attorney-General that it would be legal to put it down. In this view Mr. Plunket does not appear to have concurred.

Notwithstanding the censure which I have intimated of Mr. Bellew's political tendencies and opinions, I repeat, and that sincerely and unaffectedly, that I entirely acquit him of all deliberate corruption. His private life gives an earnest of integrity which I cannot question. It is, in all his individual relations in society, deserving of the most unqualified encomium. It would be a deviation from delicacy, even for the purposes of praise, to follow Mr. Bellew through the walks of private life. Suffice it to say, that a more generous, amiable, and tender-hearted man is not to be found in his pro-

fession; and underneath a frozen and somewhat rugged surface, a spring of deep and abundant goodness lives in his mind.

If in the hasty writing of the present sketch, I have allowed grotesque images in connexion with Mr. Bellew to pass across my mind, I have "set down naught in malice;" and if I have ventured on a smile, that smile has not been sardonic. In addition to the other qualities of Mr. Bellew for which he merits high praise, I should not omit his sincere spirit of religion. He is one those few who unite with the creed of the Pharisee the sensibilities of the Samaritan. Mr. Bellew is a devout and unostentatious Roman Catholic, deeply convinced of the truth of his religion, and most rigorous in the practice of its precepts. The only requisite which he wants to give him a complete title to spiritual perfection, is one in which some of his learned brethren are not deficient; and it cannot be said that he "has given joy in heaven," upon the principle on which so many barristers have the opportunity of administering to the angelic transports. One of the results of his having been always equally moral and abstemious as at present is, that his dedication to religion attracts no notice. If another barrister receives the sacrament, it is bruited through town; and at all the Catholic parties, the ladies describe with a pious minuteness the collected aspect, the combined expression of penitence and humility, the clasped hands, and the uplifted eyes of the counsellor; while the devout Mr. Bellew, who goes through the same sacred exercise, passes without a comment.

In truth, I should not myself know that Mr. Bellew was a man of such strong religious addictions, but for an incident which put me upon the inquiry. Upon

Ash-Wednesday it is the practice among pious Catholics to approach the altar; and while he repeats in a solemn tone, "Remember, man, that thou art dust," with the ashes which he carries in a vase the priest impresses the foreheads of those who kneel before him with the sign of the cross. Some two or three years ago, I recollect the court was kept waiting for Mr. Bellew, and the Master of the Rolls began to manifest some unusual symptoms of impatience, when at last Mr. Bellew entered, having just come from his devotions; and such was his haste from the chapel, that he had omitted to efface the "memento mori" from his brow. The countenance of this gentleman is in itself sufficiently full of melancholy reminiscences; but when the Master of the Rolls, raising his eyes from a notice which he was diligently perusing, looked him full in the face, he gave an involuntary start. The intimation of judicial astonishment directed the general attention to the advocate; and traced in broad sepulchral lines, formed of ashes of ebony in the very centre of Mr. Bellew's forehead, and surmounted by an ample and fully powdered wig, appeared the black and appalling emblem. The burning cross upon the forehead of the sorcerer in "The Monk," could not have produced a more awful effect. The Six Clerks stood astonished: the Registrar was petrified; and while Mr. Driscol explained the matter to Mr. Sergeant Lefroy, Sir William M'Mahon, with some abruptness of tone, declared that he would not go beyond the motion.

MR. O'LOGHLEN.

[APRIL, 1828.]

"COUNSELLOR O'LOGHLEN, my motion is on in the Rolls!" "Oh, Counsellor, I'm ruined for the want of you in the Common Pleas!" "For God's sake, Counsellor, step up for a moment to Master Townsend's office!" "Counsellor, what *will* I do without you in the King's Bench!" "Counsellor O'Loghlen, Mr. O'Grady is carrying all before him in the Court of Exchequer!" Such were the simultaneous exclamations, which, upon entering the Hall of the Four Courts, at the beginning of last term, I heard from a crowd of attorneys, who surrounded a little gentleman, attired in a wig and gown, and were clamorously contending for his professional services, which they had respectively retained, and to which, from the strenuousness of their adjurations, they seemed to attach the utmost value.

Mr. O'Loghlen stood in some suspense in the midst of this riotous competition. While he was deliberating to which of the earnest applicants for his attendance he should addict himself, I had an opportunity to take

notes of him. He had at first view a very juvenile aspect. His figure was light—his stature low, but his form compact, and symmetrically put together. His complexion was fresh and healthy, and intimated a wise acquaintance with the morning sun, more than a familiarity with the less salubrious glimmerings of the midnight lamp. His hair was of sanded hue, like that of his Danish forefathers, from whom his name (which in Gaelic signifies Denmark), as well as his physiognomy, intimates his descent. Although at first he appeared to have just passed the boundaries of boyhood, yet upon a closer inspection all symptoms of puerility disappeared. His head is large, and, from the breadth and altitude of the forehead, denotes a more than ordinary quantity of that valuable pulp, with the abundance of which the intellectual power is said to be in measure. His large eyes of deep blue, although not enlightened by the flashings of constitutional vivacity, carry a more professional expression, and bespeak caution, sagacity, and slyness, while his mouth exhibits a steadfast kindliness of nature, and a tranquillity of temper, mixed with some love of ridicule, and, although perfectly free from malevolence, a lurking tendency to derision. An enormous bag, pregnant with briefs, was thrown over his shoulder. To this prodigious wallet of litigation on his back, his person presented a curious contrast.

At the moment I surveyed him, he was surrounded by an aggregate meeting of attorneys, each of whom claimed a title paramount to "the Counsellor," and vehemently enforced their respective rights to his exclusive appropriation. He seemed to be at a loss to determine to which of these amiable expostulators

his predilections ought to be given. I thought that he chiefly hesitated between Mr. Richard Scott, the protector of the subject in Ennis, and Mr. Edward Hickman, the patron of the crown upon the Connaught circuit. Ned, a loyalist of the brightest water, had hold of him by one shoulder, while Dick, a patriot of the first magnitude, laid his grasp upon the other. Between their rival attractions, Mr. O'Loghlen stood with a look, which, so far from intimating a wish that either of "the two charmers" should be away, expressed regret at his inability to apportion himself between these fascinating disputants for his favours.

Mr. Scott, whose countenance was inflamed with anxiety for one of his numerous clients, exhibited great vehemence and emotion. His meteoric hair stood up, his quick and eager eye was on fire, the indentations upon his forehead were filled with perspiration, and the whole of his strongly Celtic visage was moved by that honourable earnestness, which arises from a solicitude for the interest of those who intrust their fortunes to his care. Ned Hickman, whose countenance never relinquishes the expression of mixed finesse and drollery for which it is remarkable, excepting when it is laid down for an air of profound reverence for the Attorney-General, was amusingly opposed to Mr. Scott; for Ned holds all emotion to be vulgar, and, on account of its gentility, hath addicted himself to self-control. Mr. O'Loghlen, as I have intimated, seemed for some time to waver between them, but at length Mr. Hickman, by virtue of a whisper, accompanied by a look of official sagacity (for he is one of the crown solicitors), prevailed, and was carrying Mr. O'Loghlen off in triumph, when a deep and rumbling sound was heard

to issue from the Court of Exchequer, and shortly after, there was seen descending its steps, a form of prodigious altitude and dimensions, in whose masses of corpulency, which were piled up to an amazing height, I recognized no less eminent a person than Bumbo Green.

He came like an ambulatory hill. This enormous heap of animation approached to put in his claim to Mr. O'Loghlen. Bumbo had an action, which was to be tried before Chief Baron O'Grady, against the proprietor of the mail-coach to Ennis, for not having provided a vehicle large enough to contain him. Mr. O'Loghlen was to state his case. Bumbo had espied the capture which Ned Hickman had made of his favourite counsel. It was easy to perceive, from the expression of resolute severity which sat upon his vast and angry visage, that he was determined not to acquiese in this unwarrantable proceeding. As he advanced, Ned Hickman stood appalled, and, conscious of the futility of remonstrance, let loose the hold which he had upon the Counsellor, while the latter, with that involuntary and somewhat reluctant, but inevitable submission, which is instinctively paid to great by little men, obeyed the nod of his enormous employer, and, with the homage which the Attorney-General for Lilliput might be supposed to entertain for a solicitor from Brobdignag, passively yielded to the dominion, and followed into the Exchequer the gigantic waddle of Bumbo Green.

But a truce to merriment. The merits of Mr. O'Loghlen, with whom I open this continuation of the Sketches of the Catholic Bar, are of a character which demand a serious and most respectful considera-

tion. He is not of considerable standing, and yet is in the receipt of an immense income, which the most jealous of his competitors will not venture to insinuate that he does not deserve. He is in the utmost demand in the Hall of the Four Courts, and is amongst the very best of the commodities which are to be had in that staple of the mind. He is admitted, upon all hands, to be an excellent lawyer, and a master of the practice of the courts, which is of far greater importance than the black and recondite erudition to which so many barristers exclusively devote so many years of unavailing labour.

The questions to which deep learning is applicable, are of unfrequent occurrence, while points connected with the course and forms of legal proceeding, arise every day, and afford to a barrister, who has made them his study, an opportunity of rendering himself greatly serviceable to his clients. It is not by displays of research upon isolated occasions, that a valuable and money-making reputation is to be established. "Practice," as it is technically called, is the alchemy of the Bar. When it is once ascertained that a lawyer is master of it, he becomes the main resource of attorneys, who depend upon him for their guidance through the mazes of every intricate and complicated case. Mr. O'Loghlen has Tidd at his fingers' ends, and is, besides, minutely acquainted with that unwritten and traditional practice which governs Irish justice; and which, not having been committed to books, is acquired by an unremitting attention to what is going on in court.

It is not to be considered, from the praise bestowed upon Mr. O'Loghlen in this most important and most

useful department of his profession, that he does not possess other and very superior qualifications. He is familiar with every branch of the law, and has his knowledge always at command. There are many whose learning lies in their minds, like treasure in rusty coffers which it is a toil to open, or masses of bullion in the vaults of the Bank of Ireland, unfit for the purposes of exchange, and difficult to be put into circulation. Mr. O'Loghlen bears his wealth about him,—he can immediately apply it, and carries his faculties like coined money—"in numerato habet."

He is not a maker of sentences, and does not impress his phrases on the memory of his hearers; but he has what is far better than what is vulgarly designated as eloquence. He is perfectly fluent, easy, and natural. His thoughts run in a smooth and clear current, and his diction is their appropriate channel. His perceptions are exceedingly quick, and his utterance is, therefore, occasionally rapid; but although he speaks at times with velocity, he never does so with precipitation. He is extremely brief, and indulges in no useless amplification. There is not the smallest trace of affectation in anything which he either does or says, and it is surprising with what little appearance of exertion he brings all the powers of his mind into play. His points are put with so much brevity, simplicity, and clearness, that he has, of necessity, become a great favourite with the Judges, who give him a willing audience, because he is sure to be pertinent and short; and having said all that is fitting to be said, and no more, has immediately done.

He is listened to the more readily, because he is apparently frank and artless,—but he merely puts on a

show of candour, for few possess more suppleness and craft. No man adapts himself with more felicity to the humours and the predispositions of the judges whom he addresses. Take, for example, the Exchequer, where both on the law and equity sides of the Court, he is in immense business. He appeals to the powerful understanding, and sheer common sense of Standish O'Grady, in whom Rhadamanthus and Sancho Panza seem combined. He hits the metaphysical propensities of Baron Smith with a distinction, in which it would have puzzled St. Thomas Aquinas, without the aid of inspiration, to detect a difference: when every other argument has failed with Baron M'Cleland, he tips him the wink, and pointing with his thumb to the opposite attorney, suggests the merits of the client, by a pantomimic reference to those of his representative: and with the same spirit of exquisite adaptation, plunges into the darkest abysses of black-letter erudition with Baron Pennefather, and provokes his Lordship into a citation from the Year-books in Tipperary French.*

Mr. O'Loughlen is a native of Clare. I had at first, and before I had made more minute inquiries, conjectured from the omega in his name, that he must be lineally descended from some of the ancient monarchs of Ireland, or be at least collaterally connected with one of the Phenician dynasties. Upon investigation, however, I discovered that "the big O," the celebrated object of royal antipathy, was but a modern annexation; and that, as I have already intimated, Mr. O'Loghlen is of a Danish origin. It has often been observed that the face of some remote progenitor reappears, after the

* Of the three Judges of the Irish Exchequer here mentioned, only the last, Baron Pennefather, survives.

lapse of centuries, in his progeny; and in walking through the halls of ancient families, it is surprising sometimes to see, in the little boy who whips his top beside you, a transcript of some old warrior who frowns in armour on the mouldering canvass above your head. There is preserved among the O'Loghlens a picture of their ancestor. He was a captain in the Danish navy. The likeness of this able cruiser off the Irish coast to the Counsellor is wonderful. He was a small, square, compact, and active little fellow, with great shrewdness and intelligence of expression. Domestic tradition has preserved some traits of his character, which show that the mind, as well as the face, can be preserved during ages of unimpaired transmission to the last.

He was remarkable for his skill as a navigator. Not a pilot in all Denmark worked a ship better. He sent his light and quick-sailing galley through the most intricate quicksands. His coolness and self-possession never deserted him, and in the worst weather he was sure to get into port. He generally kept close to the shore, and seldom sailed upon desperate adventures. Remarkable for his talent in surprising the enemy, and stealing into their creeks and harbours, he would unexpectedly assail them, and carry some rich prize away. The descendant of this eminent cruiser works a cause upon the same principles as his ancestor commanded a ship. He holds the helm with a steady and skilful hand, and shifts his sails with the nicest adaptation to every veering circumstance that occurs in his course. Sometimes, indeed, he goes very close to the wind, but never misses stays. I scarcely ever saw him aground. He hits his adversary between wind and water, and when he lies most secure, sails into his anchorage,

boards, and cuts him out. It is not, therefore, to be wondered at, that he is in as great practice in the Hall, as his forefather was upon the ocean, of whom it is recorded that he—

"Pursued o'er the high seas his watery journey,
And merely practised as a sea-attorney."*

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* Mr. O'Loghlen was only in the first stage of his professional career when this sketch was written. It seems proper, therefore, to add a brief outline of the subsequent history of so eminent a man. He was one of the first Catholic lawyers who received a silk gown after the Catholic Relief Act, and how well he was entitled to the rank may be inferred from the fact, that in the last year of his practice at the outer bar he made the large sum of 5,000*l*. In the Marquess of Anglesea's Government, he was made a Serjeant, and in 1832 he stood for the city of Dublin, along with Mr. Latouche, after Mr. Perrin and Alderman Harty had been unseated by the decision of an election committee. In the autumn of 1834 he succeeded Mr. Crampton (now Judge Crampton) in the office of Solicitor-General. The place had been first offered to Mr. Perrin, who declined it. On the ensuing change of Ministry, Mr. O'Loghlen resigned, and at the general election, which then took place, he was returned for the borough of Dungarvan. When the liberal party returned to office in 1835, Mr. O'Loghlen became Solicitor-General again, and was again elected for Dungarvan. Towards the close of the same year he filled the office of Attorney-General (succeeding the present Judge Perrin), and was a third time returned to Parliament by the same constituency. In the autumn of 1836 the death of Baron Smith gave the Government the disposal of a seat on the bench, and the opportunity which had long been desired of making a Catholic judge. Mr. O'Loghlen was reluctant to accept the place of a puisne Baron, but his refusal would have embarassed the Government, as to appoint a Catholic they must have passed over the Solicitor-General (Richards), who was a Protestant. But he sat only one term in the Exchequer, for the death of Sir William M'Mahon vacated the Mastership of the Rolls, and Baron O'Loghlen was promoted to it. He continued to hold that office until his premature and lamented decease in 1842, when he was only in his fifty-second year. In the year 1838, on the occasion of the Queen's Coronation, a baronetcy had been conferred upon him. He was the first

Roman Catholic law-officer and first Roman Catholic judge since 1688, a fact that gives a peculiar interest to his advancement. As a lawyer, Mr. Sheil has given a just estimate of his talents; and he more than sustained his reputation on the bench, as it was admitted by men of all parties that an abler judge had never presided in the Rolls. Sir Michael O'Loghlen spoke several times effectively in the House of Commons. In a debate on the consideration of the Lords' Amendments to the Irish Church Bill of 1836, he handled the Bishop of Exeter with just severity. In the same year he re-introduced the bill to reform the Municipal Corporations, which in the previous year had been brought in by Mr. Perrin, (to whose strenuous exertions the measure owed its origin), but was defeated on that occasion by the Tory opposition. A consolidation of the Grand Jury Laws and several other legal improvements are also among Sir Michael's public services.

Three statues have been raised to the memory of this popular and distinguished judge, one by the members of the bar exclusively, executed by M'Dowell, and erected in the Hall of the Four Courts; another by the body of Solicitors, the work of Mr. Christopher Moore; and a third by Mr. Kirke, raised by public subscription in Clare, and placed in the County Court-house.

The tale of the descent from the Danish sea-attorney may be considered as a pleasant fancy of Mr. Sheil's. Irish historians are familiar with the sept or family of O'Loghlens, who were the lords or proprietors of Burren, that attractive part of Clare adjoining Galway, which Ireton in a letter to Cromwell describes as "a country where one could not get a tree to hang a man upon, water to drown a man, or earth to bury him in." Sir Michael was no doubt a descendant of this once powerful Irish race, though the princes of so sterile a domain.

MR. LESLIE FOSTER

AND THE LOUTH ELECTION OF 1826.

[FEBRUARY, 1829.]

"A man may be solemn without being wise, and circumstantial without being accurate."

THE first opportunity I had of closely observing the eminent statesman and celebrated legislator, whose name is prefixed to this article, was afforded by the Louth election. Mr. Foster is so intimately connected with that remarkable event, that some account of the details which accompanied it will not be inappropriate.

The standard of the Association had been raised in Waterford, and Mr. Villiers Stuart* proclaimed himself the antagonist of the house of Curraghmore. All eyes were directed to the field, in which the great contest was to be waged. Both the combatants brought hereditary rank and vast opulence as their allies, besides the auxiliary passions of the powerful parties to which they were respectively attached. There was, however, nothing surprising in the enterprise of Mr. Stuart. During his minority, the savings of his estate had accumulated to a very large sum, and he was possessed of the means of

* The present Lord Stuart de Decies.

engaging in a bold political adventure, without running any risk of permanently injuring his fortune. It would have been far stranger if, with his large property, and his enlightened opinions, he had allowed the Beresfords to maintain an undisputed masterdom in his county. While the national attention was fixed upon the events which were taking place in Waterford, news arrived in Dublin, which excited a far greater sensation than the contest between the two rival patricians of Dromana and Curraghmore; and it was announced that Mr. Alexander Dawson, a retired barrister with a small fortune, had started for Louth.

In that county the Protestant gentry were regarded as omnipotent. For upwards of half a century, the Jocelyns and the Fosters had returned two members to parliament, and divided the county, like a family borough, between them. A strong and apparently indissoluble coalition had been effected between Lord Roden and Lord Oriel; and it was supposed to be impossible to make any effectual opposition to the union of Orangeism and of Evangelism, which the wily veteran of Ascendancy, and the frantic champion of the New Reformation, had effected. To this combination of power Mr. Dawson had neither wealth nor connections to oppose. He had even intimated that he would not bear any portion of the expenses, and must be returned by popular contribution. The ordinary preparations had not been made, and it was only three days before the election commenced that his intention was declared. Mr. Leslie Foster affected to treat his pretensions with derision. He was to be seen amongst groups of sympathising King's counsel, and assentating assistant barristers, with his forefinger and thumb brought into

syllogistic conjunction, demonstrating the utter absurdity of Alexander Dawson in attempting a contest.

A profound seriousness habitually pervades the countenance of Mr. Foster, who, accustomed to the most abstruse meditations upon political economy, and conversant with the deepest mysteries of legislation, has seldom been known to use the risible organs for the purposes for which they were originally intended. The notion of a contest in Louth, however, seemed to strike him as so exceedingly ludicrous and extravagant, that upon this occasion he broke through all the rules of solemnity by which his physiognomy is usually controlled. Still, he had left off laughing for such a length of time, that his smile sat uneasily and unnaturally upon him, and the muscles of merriment had become so rusty and so destitute of pliability, that they accommodated themselves slowly and ponderously to their functions; and many of his friends, observing these novel phenomena of mirth, exclaimed, "What can be the matter with Leslie Foster!"

He, however, made ample compensation for this sudden and unmeet deviation from his habitual gravity, by the seriousness of his aspect, upon his appearance at the hustings of Dundalk. I proceeded there before the arrival of Mr. Foster. From the brow of a hill which surmounts the town, when I was at a short distance from it, I saw a vast multitude descending with banners of green unfurled to the wind, and shouting as they moved along. I could not at first discern with distinctness the gentleman who was the immediate object of this wild ovation; but on approaching and mixing with the dense mass of enthusiastic patriots, I saw seated in

an old gig Mr. Dawson, the aspiring candidate who had presumed to enter the lists with the hereditary representatives of the county of Louth.

He wore an old frock-coat covered with dust, and a broad-brimmed weather-beaten hat which surmounted a head that streamed with profuse perspiration; his face was ruddy with heat, but, notwithstanding the excitement of the scene, preserved its habitual character of sagacious quietism and tranquil intelligence;—he did not seem to be (though placed in a most extraordinary and trying situation) at all conscious of the boldness of the enterprise in which he was embarked, and was perhaps the least moved of the multitude that were rushing rapidly on;—while the people were hurraing about him, throwing their hats into the air, and catching them with a wild shriek and prance, (a common denotement of joy among the lower Irish,) he sat composedly in his old vehicle, and was busy in preserving order and regularity in the procession. There were some three or four ragged fiddlers before him, who played with all their might, and in notes of the harshest discord, a tune which they intended for the popular air of "Nancy Dawson," and which was selected for no other reason than that it was connected with his name. It was only at intervals that the hard and vigorous scraping of these village violins was distinctly audible; for the cries of "Down with Foster! and Dawson for ever!" resounded from every side in yells of vehement uproar, and monopolised the hearing faculties. A wonderful enthusiasm prevailed through this vast gathering; and in the faces of the fierce and athletic peasants who drew their favourite on, as they occasionally turned

their heads back to look on him, and shouted in the retrospect, the strongest passions of mingled joy, ferocity, and determination were expressed.

In a few minutes Mr. Dawson and his gig were drawn into the main street of Dundalk, and stopped at Magrath's hotel, which was the rendezvous of patriotism during the election. There the committee, which had been hastily gotten up, was collected, and welcomed Mr. Dawson on his arrival. He descended amidst loud acclamations, and soon after appeared at a window in the tavern, from whence he addressed the people. Several thousands were assembled, and in an instant deep silence was obtained. In a plain, brief, perfectly simple, and intelligible speech, Mr. Dawson told them that, for their sake, and not to gratify his personal ambition, he was determined to oppose Mr. Foster and Mr. Fortescue, and to break the Oriel and the Roden yoke. His speech was received with the most rapturous plaudits, and it was manifest that, whatever might be the issue, a spirit had arisen among the people, which portended far more than could have been originally calculated.

While Mr. Dawson and others of the same party were addressing the people, the carriages of the leading gentry, drawn by four horses, were seen entering the town, but, in order to avoid the multitude, wheeled round through a street parallel to that in the opening of which the people were gathered. Astonishment and apprehension were visible in their faces. They perceived already that a dreadful struggle was about to take place. The wonted harangues having been delivered to the people, Mr. Dawson and his committee proceeded to

the Court-house, which occupies one side of a square in the centre of the town.

This building presents in its exterior a very beautiful object. It was erected under the immediate superintendence of Mr. Foster, who furnished the design, which he took from the Temple of Theseus; for Mr. Foster values himself upon an universality of acquisition, and is a sort of walking encyclopædia, or peripatetic repertory of all the arts and sciences, and is as profoundly skilled in architecture as he is in any of the crafts of the Custom-house or the mysteries of the Excise.* Opening Stuart's Athens, he lighted on the Temple of Theseus, and selected it as a model for a Court-house at Dundalk; and accordingly the most beautiful and inconvenient temple in which the rites of justice have ever been performed, has been produced under his architectural auspices.

In that part of this incongruous edifice which is allocated to the county business, the High-Sheriff assembled the freeholders to read the writ. On his left hand stood Mr. Leslie Foster. How changed from him who had a few hours before derided as impotent the efforts of the Roman Catholic body to push him from his stool in the legislature! His complexion is

* Mr. Foster had held since 1818 the lucrative place of Counsel to the Commissioners of Excise and Customs. The salary was 100*l.* per annum. The emoluments in the shape of fees, travelling expenses, &c., averaged yearly 3,700*l.*, on the authority of the Treasury Minute of 1828, which, when the office was abolished, fixed his retired allowance at 2,000*l.* *per annum*. The appointment had been declared totally useless by a Commission of Inquiry. In short, the entire transaction was one of those "mysteries" of public iniquity, which at the present day almost exceed belief.

naturally pale, but it now became deadly white. He surveyed the dense mass of the people with awe, and seemed to recoil from the groans and hooting with which he was clamorously assailed. When proposed as a candidate, he delivered a speech, in which he clumsily sought to reconcile his auditors to his resistance of their claims, and appeared to be aware of the wretchedness of the task which he had imposed upon himself. The only relief which he received was derived from the feeling which the mention of Lord Roden and his party produced in the assembly; for obnoxious as that nobleman is through the rest of Ireland, his fanaticism and narrow-heartedness have secured for him a more condensed and concentrated odium in the town of Dundalk. Mr. Dawson spoke with equal brevity and perspicuity, and made it his boast that he belonged to the middle classes, and was best calculated to represent their feelings and to do justice to their interests.

On the succeeding day the polling commenced with activity, Mr. Fortescue being sustained by the Roden influence, and a large portion of the Protestant aristocracy; the rest of that body were the supporters of Mr. Foster; while Mr. Dawson relied upon a few Roman Catholics of fortune, and on the spirit of agrarian insurrection, which had broken out among the forty-shilling freeholders. Some time elapsed before any decided demonstrations of superiority took place; and the exertions of all parties were prodigious. Emissaries were despatched night and day through every part of the county, and no means of persuasion were spared by the Catholic, or of terror by the Protestant faction, to bring the freeholders in. Priests and attorneys were seen scouring the country in all directions,

and landlords and drivers, armed with warrants of distress, knocked at the door of every hovel. The spirit of exertion which animated the contending parties extended itself to the counsel, and Mr. North (the brother-in-law of Mr. Foster), Mr. Murray, who was employed by Mr. Fortescue, and Mr. Sheil, who acted for Mr. Dawson, in the High Sheriff's booth, exhibited a zeal and alacrity which a mere professional sympathy with their clients could scarcely have supplied.

The Sheriff's booth was in a small room adjoining the County-court, and offered, through the iron bars of its single window on the ground-floor, a dismal spectacle. A wall, at the distance of about four feet from this window, rises to a considerable height, and forms a small quadrangular space, covered with rank grass and broken stones, in which the murderers at Wild-goose Lodge are buried.* In intervals of leisure, the eyes of the persons whose business it was to remain in this room, would involuntarily rest upon this spot, and the conversation turned from the subject of the election to the terrible atrocity of which that dreary piece of ground was the memorial. The meditations which it supplied were, however, of brief duration, for a question connected with a vote would arise to dissolve them.

As the election proceeded, the anxieties of Mr. Foster augmented. He seemed to lose all command and self-possession. He would rush into the Sheriff's booth with a precipitate vehemence, which was the more remarkable from the contrast which it formed with his usual

* This was an agrarian atrocity scarcely inferior in its sanguinary and horrible details to the butchery of the Sheas, described by the author in another paper.

systematic and well-ordered behaviour. "Soldiers!" he would cry, "Soldiers, Mr. High-Sheriff! I call upon you to bring out troops, to protect me and my supporters. My life is in peril—my brother has been just assailed—we shall be massacred, if you persevere in excluding troops from the town!" Such were the exclamations which he would utter, under the influence of mingled anger and alarm; for I believe that his fears, though utterly unfounded, were sincere. To these appeals the friends of Mr. Dawson would oppose equally vehement adjurations. "What! call out troops! bayonet the people! No, Mr. Foster; the scenes of 1798 are not returned; the Sheriff will not be deluded by the phantoms which issue from your over-excited imagination, or accede to your sanguinary invocations."

The High-Sheriff was placed in a very embarrassing condition in the midst of this uproar of remonstrance. It was said that his leanings were personally favourable to Mr. Foster; but he is a brewer of the famous Castle-Bellingham ale, and the interests of his brewery being at variance with his political predilections (if he have any), he was kept in a state of painful hesitation, until Mr. Chaigneau, who acted with the utmost impartiality as Assessor, resolved his difficulties, by very properly stating, that when evidence of danger should be laid before the Sheriff upon oath, he would act upon it. The town remained perfectly peaceable. There were, indeed, loud cries and vehement shoutings, but no personal molestation was offered to any body. A perpetual procession of fiddlers and fife-players moved through the streets, who played no other air than "Nancy Dawson" from morning until twelve at night.

At the head of this body of everlasting minstrels

were two singular persons, who carried large banners of green silk, with national emblems and mottoes figured upon them. One of these strange individuals was a Doctor—a large, bloated, plethoric mass of a man, dressed in old rusty black, covered with snuff, with a protuberant belly, and a short, waddling gait, which a quantity of matutinal potations had rendered exceedingly unsteady; while his countenance, composed of large blotches of orbicular red, with a pair of large glazed eyes, surmounted by white shaggy eyebrows, confirmed the conjectures which the irregularity of his movements suggested. The Doctor carried the Dawson standard, having two or three stout fellows to co-operate in his sustainment. When he arrived at the end of the street, in turning round to direct the procession, of which he was the chief leader, the Doctor would utter a loud but inarticulate shout, and return towards the Court-house; and when he had arrived there, he would again wheel about at the head of the multitude with a similar hurrah. Thus he traversed, from morning till sunset, the principal street of the town, taking a glass of Irish restorative at brief intervals in these strange perambulations.

Next in command to the Doctor was old Harry Mills, whose fame has since travelled across the Atlantic, and who has not only had his health drunk in America, but has received a subscription of twenty pounds from the New World. This peasant was among the most conspicuous figures at the Louth election. He had about four acres of land, for which he paid a high rent to his landlord; and although he completely depended on him, this "village Hampden," as he was called, withstood the petty despotism of his landlord, and voted in

despite of him for Mr. Dawson. Harry Mills had gone through many a wild adventure. He had been concerned in the affair of 1798, and was obliged to fly the country; but, as he said himself, he had the consolation of seeing an Orangeman's house on fire upon the shore, as he was sailing in a fishing-boat from the port of Dundalk. "Please your honour," Harry used to say, "as I was leaving ould Ireland, I saw the flames blazing out of the Cromwellian's house; and many a time, when I was keeping watch on the coast of Guinea, I used to think of that same fire." Harry was obliged to turn seaman, and became a sailor in a slave-ship. He was taken by a French privateer; and I do not recollect exactly how he contrived, after years had passed, to get back to Ireland. His spirit slumbered within him until the Louth election, and then it broke forth, like the flame from the Orangeman's house, which had ministered with its flashes to his retrospective consolations. With that ocean-look and attitude which belong to all sea-faring people, Harry blended the sly cunning and observant sagacity which characterize the Irish peasant, and offered, to a lover of the moral picturesque, one of the most striking objects at the Louth election. He marched, in company with the Doctor, as second standard-bearer to Mr. Dawson, and was as unwearied as his brother patriot in this his new, and, if we could judge from his shouts and exclamations, his delightful vocation.

But in drawing the figures and detailing the incidents by which Mr. Foster was surrounded, I allow him, perhaps, to leave the foreground of the picture. As the election advanced, his fears augmented, and he presented new phenomena of terror. His opponents felt a

malevolent pleasure in watching the torture which he was undergoing, and in observing the writhings of the mind, which were apparent in his demeanour and countenance. But Mr. Dawson had in a few days ceased to be the immediate object of his competition; for the latter having obtained a vast majority, his return was no longer matter of speculation, and the fiercest contest was carried on between the Roden and the Oriel candidates, who had originally entered in alliance into the field.

Though they agreed in all political opinions, they afforded proof of the promptitude with which abstract questions are lost in individual interests. The Catholics had carried Mr. Dawson's election, and Mr. Foster and his friends used all their efforts to induce them to remain neutral; observing that Mr. Foster (which was a just remark) was not personally obnoxious, that he was a good landlord, and that Lord Roden's candidate was not only politically, but fanatically opposed to them. These arguments had their weight with the liberal party; although the more sagacious saw that it would be a consummation of their victory, if they could eject from the House of Commons an individual who had contributed some talent, and a great deal of research and industry, to the maintenance of his party. Still, the antipathy to Lord Roden prevailed; and the detestation in which his wild, lugubrious doctrines were held; the recollection of his having refused a small piece of ground to erect a more commodious house of Catholic worship; his penurious piety; his omission, with all his ostentatious Christianity, to subscribe to a single charitable institution at Dundalk; and other circumstances of a similar character, made the majority

of the people rather incline towards Leslie Foster than to the candidate by which the Roden interest was represented.

It is a rule that, after a certain number of days, if twenty persons do not poll before six o'clock, the booth where this deficiency takes place shall close. Every booth, excepting one, was shut about four o'clock; and if the Roden party could contrive to poll twenty before six, they would have been entitled to hold the booth open. About four o'clock, Leslie Foster had a majority of nine or ten, and I believe all his votes were exhausted. Some twelve or thirteen persons had polled in the booth in question; and if Mr. Fortescue could procure so many persons merely to poll, as would, with the votes already given, make up twenty, his object would have been secured. The issue of the contest, therefore, depended upon minutes. The booth presented a most singular scene. It was crowded to excess. Scarcely space enough was left for the admission of the voters; and, indeed, it was the object of the Foster faction to retard and obstruct their arrival by every possible expedient. In order to consume time, fellows were put up on Mr. Foster's tallies who had no votes, and their rejection, and the clamour and confusion which it produced, served to consume the hour, of which every instant was of value. Mr. Fortescue's party still contrived to poll a few freeholders, who were supplied by the Catholics; and it was matter of great doubt whether the important and decisive number twenty could be produced.

After five o'clock, the suspense of all parties became increased, and every eye was alternately turned to the spot where the freeholders were polled, and to the

watches which were held in the hands of the spectators, and which indicated the progress of time to that point on which the issue was to hang. I never saw a deeper expression of solicitude; Mr. Fortescue himself was not there; but his partisans showed an anxiety as great as if they had been personally engaged by individual interest in the event. The friends of Mr. Foster, who were gathered round the Sheriff, manifested, if possible, a still greater intentness of expectation. Mr. Pentland, who had been long Solicitor to the Custom House, of which Mr. Foster was, since 1818, the Counsel, acted as his agent, with an alacrity which inveterate habits of professional sympathy had naturally produced. Near him stood Mr. North,* whose naturally sweet and placid countenance, without exhibiting the fierceness of faction, assumed for a moment an aspect of acerbity, while his lips, that were as white as ashes, trembled and quivered in the expression of the few words to which he occasionally gave utterance.

But where was Leslie Foster all this time? This question, which the reader will probably ask, I put to myself; and, on turning my eyes round, I was at first at a loss to discover him. At length I observed a person sitting in a remote corner of the room, upon a chair which was thrown back in such a way that it was balanced on two legs, while the head of the somewhat round and squat gentleman by whom it was occupied leaned against the wall. His hat was drawn over his brows, and his eyes were closed. His cheeks, which seemed to have been originally full and plentiful, appeared to have suffered a cadaverous collapse. Thick

* Mr. John H. North, an eminent and highly-accomplished member of the Irish bar; he was married to Mr. Foster's sister.

drops of perspiration trickled down his visage, which he occasionally wiped away with an Orange handkerchief held in his right hand; while a watch, on which, however, he did not look, was in the other. I did not at first recognize this extraordinary figure; but upon a sudden it started up, and on the opening of the eyes, and the full disclosure of the countenance, I thought I could perceive some faint resemblance to Leslie Foster. He seemed, at first, to stand in an attitude of cataleptic horror; and when he recovered himself, he clasped his hands, and, unable to sustain his agony, rushed with a frantic speed out of the room. He had given everything up for lost; but he was mistaken. The twenty votes had not been made up. The clock struck six, and John Leslie Foster was saved from being buried by torchlight, under the new Act of Parliament, in the churchyard of Dundalk.*

Mr. Dawson and Mr. Foster were returned as duly elected. The latter did not attend at the hustings when the event of the election was proclaimed. He set off for Cullen, the seat of Lord Oriel, in that heaving and agitation of mind, which the stormy passions leave behind, after the immediate occasion of their excitement has ceased to act. His flight was considered as most inglorious, and it was boasted by the Catholic orators, that he did not dare to meet them. This was a great disappointment to Mr. Sheil and other dealers in harangue, who expected to show off at his expense. He very wisely effected his retreat

* The act alluded to abolished the ancient barbarous custom of driving a stake through the body, in cases where a coroner's jury had returned a verdict of *felo-de-se*. Sepulture was allowed in the churchyard of the parish, by night, between the hours of nine and twelve o'clock.

to his uncle's residence, whose octogenarian philosophy did not prevent him from feeling a deep and corroding interest in the event. Had Mr. Foster remained sequestered in the beautiful woods which the Speaker of the Irish House of Commons lived to see rise about him, he would have acted wisely. But after a short interval, the public were astonished by a resentful lucubration from his pen, in which he vilified the proceedings of the Catholics, and inveighed with great virulence against the priests.

He was guilty of another indiscretion, or rather a piece of bad taste, as it was far more deserving of laughter than of condemnation. Having fled from Dundalk, where Mr. Dawson was chaired, he caused himself to be put through a similar honour in his uncle's demesne; all the vassals and retainers of Lord Oriel, who could be procured, were collected together, and Mr. Foster having been placed upon the shoulders of four stout Protestant tenants, was conveyed through the village of Cullen, amidst the plaudits of the yeomanry, the hurrahs of the schoolmaster, the sexton, and the parish clerk, and the acclamations of the police.

MR. LESLIE FOSTER,

AS A BARRISTER, A SCHOLAR, AND A COMMISSIONER OF EDUCATION.

[MARCH, 1829.]

I HAVE hitherto considered Mr. Foster as a candidate, and I should give an equally minute account of him as a Member of Parliament, but that I have not had the same fortunate opportunities of observation. I do, indeed, remember an incident, which may be considered, to a certain extent, illustrative of his influence as a legislative speaker; and in the lack of any other means of describing him, it may not be inappropriate to set it down.

I was under the gallery of the House of Commons during the debate on the Catholic question in the year 1825. The house was exceedingly full. Mr. Foster rose to speak, and the effect of his appearance on his legs was truly wonderful. In an instant the House was cleared. The rush to the door leading to the tavern upstairs, where the members find a refuge

from the soporific powers of their brother legislators, was tremendous. I was myself swept away by the torrent, and carried from my place by the crowd, that fled from the solemn adjuration with which Mr. Foster commenced his oration. The single phrase "Mr. Speaker" was indeed uttered with such a tone as indicated the extent of the impending evil; and finding already the influence of drowsiness upon me, I followed the example which was given by the representatives of the people, who, whatever differences may have existed amongst them upon the mode of settling Ireland, appeared to coincide in their estimate of Mr. Foster's elocution. From the Treasury Benches, the Opposition, and the neutral quarters of the House, a simultaneous concourse hurried up to Bellamy's, and left Mr. Foster in full possession of that solitude which he had thus instantaneously and miraculously produced.

I proceeded up stairs with some hundreds of honourable gentlemen. The scene which Bellamy's presents to a stranger is striking enough. Two smart girls, whose briskness and neat attire made up for their want of beauty, and for the invasions of time, of which their cheeks showed the traces, helped out tea in a room in the corridor. It was pleasant to observe the sons of Dukes and Marquesses, and the possessors of twenties and thirties of thousands a year, gathered round these damsels, and soliciting a cup of that beverage which it was their office to administer. These Bellamy barmaids seemed so familiarized with their occupation, that they went through it with perfect nonchalance, and would occasionally turn with petulance, in which they asserted the superiority of their sex to rank and

opulence, from the noble or wealthy suitors for a draught of tea, by whom they were surrounded. The unfortunate Irish members were treated with a peculiar disdain, and were reminded of their provinciality by the look of these Parliamentary Hebes, who treated them as mere colonial deputies should be received in the purlieus of the state.

I passed from these ante-chambers to the tavern, where I found a number of members assembled at dinner. Half an hour had passed away, toothpicks and claret were now beginning to appear, and the business of mastication being concluded, that of digestion had commenced, and many an honourable gentleman, I observed, who seemed to prove that he was born only to digest. At the end of a long corridor, which opened from the room where the diners were assembled, there stood a waiter whose office it was to inform any interrogator what gentleman was speaking below stairs. Nearly opposite the door sat two English County members. They had disposed of a bottle each, and just as the last glass was emptied, one of them called out to the annunciator at the end of the passage for intelligence; "Mr. Foster on his legs" was the formidable answer. "Waiter, bring another bottle," was the immediate effect of this information, which was followed by a similar injunction from every table in the room. I perceived that Mr. Bellamy owed great obligations to Mr. Foster. But the latter did not limit himself to a second bottle; again and again the same question was asked, and again the same announcement returned—"Mr. Foster upon his legs." The answer seemed to fasten men in inseparable adhesiveness to their seats. Thus two hours went by, when at length

"Mr. Plunket on his legs" was heard from the end of the passage, and the whole convocation of compotators rose together and returned to the House.

Some estimate of the eloquence of Mr. Foster may be formed from this evidence of its effects. I am unable myself to supply, from personal observation, any better detail of it. But it is not necessary; Mr. Plunket, in a single phrase, has described his legislative faculties, and on the night of which I have been speaking remarked that "he had turned history into an old almanack."*

I should not omit to mention, in justice to Mr. Foster, that in converting the annals of mankind to this valuable purpose, he exhibits a wonderful diligence. His speeches are the result of great industry, and he takes care not to deliver himself of any crude abortive notions, such as are thrown off in extempore debate, but after allowing his meditations to mature in a due process of conception in his mind, brings them forth

* The remarkable passage alluded to is thus given in Hansard, sadly marred, no doubt, in the reporting, but accurately enough to indicate the wise drift of the orator:—"Time was the greatest innovator of all. While man slept, or stopped in his career, the course of time was rapidly changing the aspect of all human affairs. All that a wise government could do was to keep as close as possible to the wings of time, to watch his progress, and accommodate their motions to his flight. Arrest his course they could not, but they might vary their institutions, so as to reflect his varying aspects and forms. If this were not the spirit which animated them, history would be no better than an old almanack," &c. 28th Feb. 1825.—These are the words which have since been so often and so absurdly misrepresented, as if Lord Plunket had spoken irreverently of history itself. Sir Robert Inglis seems to have been the first to give that disingenuous turn to them. In a speech on the Catholic Question in the following May, we find him observing—"The Right Hon. gentleman, the Attorney-General for Ireland, very conveniently for his views, desired to give us none of *that old almanack, history.*"

with a laborious effort, and presents his intellectual offspring to the House in the "swaddling" phraseology in which they are always carefully wrapped up.*

It was, indeed, at one time believed and studiously propagated by his friends, that he did not prepare his orations, and that he poured out his useless erudition, and his mystical dogmas, without premeditation or research. That erroneous conjecture has been recently corrected; for, upon a late occasion, when the Chaplain of the House of Commons was reading prayers, at four o'clock, Mr. Foster, who appeared to those at a distance to be kneeling in a posture of profound parliamentary piety, with his hands raised, as is the fashion with the devout, to his lips, was heard to mutter through his fingers—"Had it been my good fortune, Mr. Speaker, to have caught your eye at an earlier period of the debate, I should have gone more at length, than I now, at this late hour of the night, intend to do, into the details of a question, upon which the integrity of the constitution, the sacred privileges of the Protestants of Ireland, and the purity of the reformed religion, entirely depend." Mr. Richard Martin, the then member for Connemara,† who

* The only dictionary in which the word "swaddle" is to be found in this signification, is Grose's *Lexicon Balatronicum*, or, *Dictionary of Slang*, London, 1811. A "swaddler" is there defined "the Irish name for a methodist." A certain street in Dublin, inhabited by several "unco-pious" judges and lawyers, has long gone by the name of Swaddling-bar.

† Better known as Dick Martin, an Irish celebrity of a species now extinct, like the *megatheria*. He long represented the county of Galway. Mr. Sheil, by a pleasant synecdoche, calls him member for his own principality of Connemara.

happened to hear Mr. Foster, communicated this important discovery; and it is now well ascertained, that Mr. Foster takes exceedingly great if not very meritorious pains at his oratorical laboratory, and passes many a midnight vigil in compounding those opiates, with which, at the expense of his own slumbers, he lulls the House of Commons to repose.

Mr. Foster may be considered in the various phases of barrister, scholar, Commissioner of Education, and counsel to the Commissioners of Customs and Excise. As a member of the Bar, he is not very remarkable. He is not in considerable business, which I am inclined to attribute to his dedication of himself to political pursuits; for he came to the profession under great advantages, having industry, a tenacious memory, and the patronage of the late Chief-Justice Downes. I think that he would have succeeded in the Court of Chancery, had he attended exclusively to the Bar; for certainly he is not destitute of the powers of clear reasoning and perspicuous exposition. His great fault is, that he diffuses an air of importance over all that he says, looks, and does, which is not unfrequently in ludicrous contrast with the matter before him. Instead of speaking trippingly upon the tongue, he loads his utterance with an immense weight of intonation, and is not more ponderous and oracular in Parliament than at the Bar. That gravity, which Rochefoucauld has so well called a "mystery of the body," pervades his gesture, and sits in eternal repose upon his countenance. He advances to his seat at the inner bar, like a priest walking in a procession; he lays down his bag upon the green table, as if he were depositing a treasure; he bows to the court like a mandarin before the Emperor

of China; quotes Tidd's Practice, as a Rabbi would read the Talmud; and opens "The Rules and Orders," as a sorcerer would unclasp a book of incantation.

The solemnity which distinguishes him in court, attends him out of it. He traverses the Hall with a gait and aspect of mystical meditation; and when he has divested himself of his forensic habiliments, still takes care to retain his walk of egregious dignity upon his return to Merrion-square. Mr. Foster has ascertained with exact precision the distance from his house to the hall of the Four Courts; and has counted the number of paces which it is requisite that he should perform, whether he should go through College-green, or by any of the lanes at the back of Dublin Castle. Both these ways have their attractions. In the centre of College-green stands the statue of King William, on which Mr. Foster sometimes pauses to cast a look, in which of late some melancholy has been observed. The purlieus of the Castle are, however, his more favourite, and perhaps appropriate walks,—especially since the order for Lord Anglesey's removal has arrived. But whichever route he adopts, he never deviates from that evenness and regularity of gait with which he originally enumerated the number of paces from his residence to the Hall.

I was a good deal at a loss to account for this peculiar demeanour, until I had heard that Mr. Foster had spent some time at Constantinople. He was introduced upon one occasion to the Grand Seignior (a scene which he describes with great particularity), and has ever since retained an expression of dignity, which it is supposed he copied from the Reis Effendi, if not from the Sultan

himself. Hitherto the negotiations with the Porte have been unsuccessful. If Mr. Foster were sent out as our minister, such a sympathetic solemnity would take place between him and the Grand Vizier, that many difficulties would, it is likely, be got rid of; and he would, by his Asiatic diplomacy of countenance, and his oriental gravity of look, accomplish far more than Lord Strangford was able to effect.*

As a scholar, Mr. Leslie Foster is, beyond all doubt, a person of very various and minute erudition. In every drawing-room, and at every dinner-table at which he appears, amazement is produced by the vastness of his knowledge; and under-graduates from the college, and young ladies whose stockings are darned with blue silk, wonder that even a head of such great diameter should be capable of containing such enormous masses of the most recondite and diversified lore. The President of the Royal Academy of Laputa, or the father of Martinus Scriblerus, could not have surpassed him in the character, the extent, and the application of his knowledge. No matter what topics may be presented in the trivialities of discourse, he avails himself of every opportunity to evacuate his erudition.† He buries

* "Gravity," observes the author of "The Characteristics," "is of the very essence of imposture." Mr. Fox once said of Lord Thurlow—"I wonder was any man ever so wise as Lord Thurlow *looks*."

† This characteristic pedantry exposed him after his elevation to the bench to an occasional hit, which afforded the bar considerable amusement. Upon one occasion, in a revenue case, a grave medical witness was formally giving the result of his observations upon a certain deposit of chemical substances. "In fact, Doctor Apjohn," interrupted the Baron, "the substance was only mud."—"Perhaps," replied the witness drily, "your Lordship would favour the jury with the definition of mud."

every petty subject under the enormity of his learning, and piles a mountain on every pigmy theme. If he finds a boy whipping a top, he stops to explain the principles upon which it is put into motion. He is versed in all points of science connected with the playing of marbles. Should a pair of bellows fall in his way, he enters into a dissertation upon the structure of the human lungs,—and applies to those domestic conveniences of which there is such a want in the modern Athens, his learning in hydraulics. In short, he is omniscient;* and if I were a believer in the transmigration of souls, I should be disposed to think that the spirit of the professor at Bruges, who challenged all mankind to dispute with him "de omni scibili et de quolibet ente," had reappeared in his person; though I hope that he would be less puzzled in solving the question of law proposed by Sir Thomas More to that celebrated scholar respecting a replevin.†

* Mr. Forster is deeply versed in Irish antiquities. He alleges that he discovered, in the county of Kerry, a very singular building, which is called Staigne Fort. General Vallancey thought that it was a Phœnician theatre. I am not aware what conjecture Mr. Foster formed respecting it; probably he takes it for an old conventicle, employed by the Irish Christians before Popery was in use. Mr. Bland, the writer of an essay in the *Transactions of the Royal Irish Academy*, makes the following observations upon Mr. Forster's claims to the discovery of this building: "About nine years back, Mr. Leslie Foster visited this county, and passed Staigne by unnoticed; but being prevailed on by me, he was reluctantly induced to return and see it. He afterwards published, in some periodical work or newspaper, an account of it; and being ignorant, I suppose, of what I have stated respecting Mr. Pelham's correspondence with General Vallancey, he considered himself the first discoverer of this ancient structure."—Vol. XIV. p. 22.

† See the *Biographia Britannica*, art. Sir T. More.—"When More was at Bruges, in the retinue of Tonstall, bishop of Durham, in 1560, an arrogant fellow set up a challenge that he would answer any question

I pass, by a natural transition, from the vast acquirements of Mr. Foster, to that office which, from its connection with learning, it would appear at first view that he was admirably qualified to fill. He was, for a considerable period, a Commissioner of Education, with an enormous salary; and thus, with the sums which he has received as a Commissioner of Inquiry into the Courts of Justice, and his vast emoluments as Counsel to the Commissioners of Customs and Excise, Mr. Foster has poured an immense quantity of the public money into his coffers.

But however the love of learning, and its unquestionable possession, might appear to render Mr. Foster an eligible person to investigate the progress of education, yet his predilections, both political and religious, were so strong, that the Roman Catholics considered the appointment of a person so legally orthodox, to report upon the state of their schools, as an injustice. In order to give some aspect of fairness to this proceeding, and to create a counterpoise to his prejudices, the government united with Mr. Foster, a gentleman in every way well adapted to encounter him, the Chief Remembrancer of the Court of Exchequer, Mr. Blake. I believe that it was not anticipated that that gentleman would have approved himself so stout and uncompromising an assertor of the interests of his country, and the honour of his religion. Mr. Foster had originally,

that could be propounded to him. Upon which Sir Thomas put up this question: '*An averia capta in withernamia sint irreplegiabilia?*'—'Are cattle taken in withernam irrepleviable?'—adding, that there was one of the ambassador's retinue who was ready to dispute with him upon it. But the fellow not understanding the law terms was gravelled, and deservedly laughed at."

from his previous habits of mystical research, and from his familiarity with the mysterious, great advantages over Mr. Blake, in examining the Catholic priesthood upon questions of dogmatic theology; but Mr. Blake, who has extraordinary powers of acquiring knowledge, and of fitting his mind to every intellectual occupation, resolved to make himself a match for this Aquinas of Protestantism, and threw himself off from the heights of the law into the deepest lore into which Mr. Foster had ever plunged. He rose from the dark bottoms of divinity as black and as begrimed with mysteries as his brother Commissioner; and thus prepared, they set off upon their tour through the Catholic colleges of Ireland.

The object of Leslie Foster was to bring out whatever was unfavourable to the Irish priesthood; while Mr. Blake (himself a Roman Catholic) justly endeavoured to rectify the misconstructions of his brother inquirer, and to present the doctrines of his religion, and the character of its ministers, in the least exceptionable form. When Mr. Foster got hold of a country priest, and put him to his shifts by some interrogatory touching the decrees of the earlier Councils, Mr. Blake would intervene, and rescue his fellow-Catholic from his embarrassments by suggesting a solution of the difficulty; and, without getting into it, helped him out of the deep quagmire of theology into which his examiner had led him. If Mr. Foster attempted to quote a passage from some moth-eaten folio with any deviation from a just fidelity of citation, Mr. Blake would immediately detect him. Mr. Foster would rely upon the disputable ethics of some ancient Catholic schoolman; and Mr. Blake would straight produce a

Protestant divine who inculcated the same doctrine. Sometimes Mr. Blake, not contented with acting on the defensive, would invade the enemy's territory; and if an ex-priest were tendered by Mr. Foster for cross-examination, the Popish Remembrancer of the Exchequer exhibited all his acumen and dexterity in exposing the renegade.

A person of the name of Dickson, who had been a Catholic priest, was produced in order to vilify Maynooth, where he had received his eleemosynary education. Mr. Blake took hold of him, and, by a series of admirable interrogatories, eminently distinguished by astuteness and power of combination, laid this deserter of his altars bare, and tore off his apostate surplice. But this was not the most remarkable instance in which Mr. Foster was foiled in his efforts to convert his office into the means of promoting his religious and political opinions. He had the misfortune to fall into the hands of the Provincial of the Jesuits in Ireland, the Rev. Mr. Kenny.

A desire was, if I rightly recollect, expressed by Sir T. Lethbridge, that a Jesuit should be produced at the bar of the House of Commons, in order that some sort of judgment should be formed of the peculiar nature of the ecclesiastical animal. Mr. Kenny is the most perfect specimen of this class of Catholic phenomena that could be produced. He wants, it must be confessed, some of the external attributes which should enter into the composition of the *beau ideal* of Jesuitism. He is by no means gracefully constructed; for there is a want of level about his shoulders, and his countenance, when uninvested with his spiritual expression, is rather of a forbidding and lurid cast. The

eyes are of deep and fiery jet, and so disposed, that while one is bent in humility to the earth, the other is raised in inspiration to Heaven; brows of thick and bushy black spread in straight lines above them. His rectilinear forehead is strongly indented with passion, —satire sits upon his thin lips, and a livid hue is spread over a quadrangular face, the sunken cheeks of which exhibit the united effects of monastic abstinence and profound meditation. The countenance is Irish in its configuration; but Mr. Kenny was educated at Palermo, and a Sicilian suavity of manner is thrown, like a fine silken veil, over his strong Hibernian features. The beaming rays of his eye are seldom allowed to break out, for they are generally bent to the ground, and habitually concealed by lids, fringed with long dark lashes, which drop studiously over them.

Such is the outward Jesuit;—his talents and acquirements are of the first order, and in argumentative eloquence he has no superior in Ireland. Leslie Foster, in the spirit of theological chivalry, and having set up as a knight-errant against popery, happened to meet with this disciple of Loyola, and resolved to break a syllogism with him. Mr. Kenny was duly summoned to attend the Commissioners of Education, and upon this occasion the interposition of Mr. Blake was quite unnecessary. With a blended expression of affected humility and bitter mockery, the follower of Ignatius answered all Mr. Foster's questions, correcting the virulence of sarcasms by the softness of his mellifluous cadences, and by the religious clasping of his hands, which were raised in such a way as to touch the extremities of his chin, while he lamented, with a dolorous

voice, the lamentable ignorance and delusion of the gentleman who could, in the nineteenth century, put him such preposterous interrogatories. Leslie Foster was baffled by every response, and amidst the jeers of his brother Commissioners, with Mr. Blake compassionating him on one side, and Mr. Glascot nudging him at the other, while Frankland Lewis trod upon his toes, was at length persuaded to give up his desperate undertaking.

Some of the questions put to the Jesuit were rather of an offensive character; and one of the Commissioners, when the examination had concluded, begged that he would make allowance for the imperious sense of duty which had induced Mr. Foster to commit an apparent violation of the canons of good breeding. "Holy Ignatius!" exclaimed the son of Loyola, holding his arms meekly upon his breast, "I am not offended—I never saw a more simple-minded gentleman in all my life!"*

* In the year 1830 Mr. Foster was created a puisne Baron of the Exchequer by the Duke of Wellington's Administration. His judicial character cannot be better delineated than it is in the short motto prefixed to the sketch, "A man may be solemn without being wise, and circumstantial without being accurate." If another touch is required to complete the picture, the following anecdote will supply it. Chief Baron O'Grady, on his resignation in 1831, retired to his country-seat to pass the brief remainder of his days. Some of his household had a pet owl, whose cage happened to be placed one day in the old chief's chamber. He endured it for some time, but at length he became uneasy and called to a member of his family: "Take away that owl—he reminds me of Leslie Foster."

CALAMITIES OF THE BAR.

[February, 1826.]

Not very long after I had been called to the Bar, I one day chanced to observe a person standing beside a pillar in the Hall of the Four Courts, the peculiar wretchedness of whose aspect attracted my notice. I was upon my way to the subterranean chamber where the wigs and gowns of lawyers are kept, and was revolving at the moment the dignity and importance of the station to which I had been raised by my enrolment among the members of the Irish Bar. I was interrupted in this interesting meditation by the miserable object upon which my eyes had happened to rest; and without being a dilettante in affliction, I could not help pausing to consider the remarkable specimen of wretchedness that stood before me.

Had the unfortunate man been utterly naked, his condition would not have appeared so pitiable. His raiment served to set his destitution off. A coat which had once been black, but which appeared to have been steeped in a compound of all rusty hues, hung in rags

about him. It was closely pinned at his throat, to conceal the absence of a neckcloth. He was without a vest. A shirt of tattered yellow, which from a time beyond memory had adhered to his withered body, appeared through numerous apertures in his upper garment, and jutted out round that portion of his person where a garb without a name is usually attached. The latter part of his attire, which was conspicuous for a prismatic diversity of colour, was fastened with a piece of twine to the extreme button of his upper habiliment, and very incompletely supplied the purpose for which the progenitors of mankind, after their first initiation into knowledge, employed a vegetable veil. Through the inferior regions of this imperfect integument, there depended a shred or two of that inner garment, which had been long sacred to nastiness, and which the fingers of the laundress never had profaned. His stockings were compounded of ragged worsted and accumulated mire. They covered a pair of fleshless bones, but did not extend to the feet, the squalid nakedness of which was visible through the shoes that hung soaked with wet about them.

He was dripping with rain, and shivering with cold. His figure was shrunken and diminutive. A few grey locks were wildly scattered upon a small and irregularly shaped head. Despair and famine sat upon his face, which was of the strong Celtic mould, with its features thrown in disorder, and destitute of all symmetry or proportion, but deriving from the passions, by which they were distorted, an expression of ferocious haggardness. His beard was like that which grows upon the dead. The flesh was of a cadaverous complexion. His grey eyes, although laden with rheum, caught a savage-

ness from the eyelids which were bordered with a jagged rim of diseased and bloody red. A hideous mouth was lined with a row of shattered ebony, and from the instinct of long hunger had acquired an habitual gape for food. The wretched man was speaking vehemently and incoherently to himself. It was a sort of insane jabbering—a mad soliloquy, in which "my lord" was frequently repeated.

I turned away with a mingled sentiment of disgust and horror, and, endeavouring to release my recollection from the painful image which so frightful an object had left behind, I proceeded to invest myself in my professional trappings, tied a band with precision about my neck, complained, as is the wont with the junior bar, that my wig had not been duly besprinkled with powder, and that its curls were not developed in sufficient amplitude, set it rectilinearly upon my head, and, after casting a look into the glass, and marking the judicial organ in a certain prominence upon my brow, I readjusted the folds of my gown, and reascended the Hall of the Four Courts in a pleasurable state of unqualified contentedness with myself. I directed my steps to the Court of Chancery, and, having no better occupation, I determined to follow the example of certain sagacious aspirants to the office of Commissioner of Bankrupts, and to dedicate the day to an experiment in nodding, which I had seen put into practice with effect.*

* When this was written, the present Court of Bankruptcy, with two Judges, or Commissioners, had not been established. The business was distributed in rotation among four "sets" of Commissioners, giving the Chancellor the patronage of a number of places of no great emolument, but sufficient to make them objects of desire to junior members of the bar, or even of ambition to barristers of standing, whose professional

There are a set of juvenile gentlemen who have taken for their motto the words of a Scotch ballad, which, upon a recent motion for an injunction, Lord Eldon affected not to understand, but which, if he had looked for a moment upon the benches of youthful counsellors before him, while in the act of delivering a judicial aphorism, he would have found interpreted in one of the senses of which they are susceptible, and have discovered a meaning in "We're a' noddin," of obvious application to the Bar. Confident in the flexibility of my neck, and a certain plastic facility of expression, I imagined that I was not without some talent for assentation; and accordingly seated myself in such a place that the eye of my Lord Manners, in seeking refuge from the inquisitorial physiognomy of Mr. Plunket, would probably rest upon me.

The Court began to fill. The young aristocracy of the Bar, the sons of judges, and fifth cousins of members of parliament, and the whole rising generation of the Kildare-street Club, gradually dropped in. Next appeared at the inner bar, the more eminent practitioners tottering under their huge bags, upon which many a briefless senior threw a mournful and repining glance. First came Mr. Pennefather, with his calm and unruffled forehead, his flushed cheek, and his subtilising and somewhat over-anxious eye.* He was suc-

gains were not sufficient to make them indifferent to a secure though small official income. Such were the individuals who are pleasantly represented as nodding their approval of the judgments of Lord Manners to attract his notice and conciliate his favour.

* Mr. Edward Pennefather, a Chancery lawyer of the highest reputation. He held the office of Solicitor-General in the short Tory Government of 1834–5, and again in 1841, upon the return of Sir R. Peel to power. In the same year he succeeded Mr. Bushe in the Chief-Justice-

ceeded by Mr. Sergeant Lefroy, who after casting a smile of pious recognition upon a brace of neophytes behind, rolled out a ponderous brief, and reluctantly betook himself to the occupations of this sublunary world. Next came Mr. Blackburne, with his smug features, but beaming and wily eye; Mr. Crampton, with an air of elaborated frankness; Mr. Warren, with an expression of atrabilious honesty; Mr. Saurin, looking as if he had never been attorney-general; and Mr. Plunket, as if he never could cease to be so.* Lastly appeared my Lord Manners, with that strong affinity to the Stuart cast of face, and that fine urbanity of manner, which, united with a sallow face and a meagre figure, makes him seem like the phantom of Charles the Second.

The Court was crowded, the business of the day was called on; Mr. Prendergast, with that depth of registerial intonation which belongs to him, had called on the first cause, when suddenly a cry, or rather an Irish howl, of "My Lord! my Lord!" rose from the remote seats of the Court, and made the whole assembly look back. A barrister in a wig and gown was seen clambering from bench to bench, and upsetting all opposition, rolling over some and knocking down others, and utter-

ship of the Queen's Bench, which he held until his death in 1846. Mr. Pennefather disappointed upon the bench the expectations which had been founded upon his abilities and success at the bar. He would probably have been an eminent judge had he not been so long an advocate.

* Of this procession of lawyers the only survivors are Mr. Lefroy, the present Chief-Justice—Mr. Blackburne, who filled successively the offices of Attorney-General, Master of the Rolls, Chief Justice, and Lord Chancellor, with consummate ability in each—and Mr. Crampton, now a puisne Judge of the Queen's Bench.

ing in a vehement and repeated ejaculation, "My Lord! my Lord!" as he advanced, or rather tumbled over every impediment. At length he reached the lower bench, where he remained breathless for a moment, overcome by the exertion which he had made to gain that prominent station in the court. The first sensation was one of astonishment; this was succeeded by reiterated laughter, which even the strictness of Chancery etiquette could not restrain. I could not for a moment believe the assurance of my senses, until, looking at him again and again, I became satisfied that this strange barrister (for a barrister it was) was no other than the miserable man whom I had observed in the Hall, and of whom I have given a faint and imperfect picture. After the roar of ridicule had subsided, the unfortunate gentleman received an intimation from Lord Manners that he should be heard, when he addressed the court in a speech, of the style of delivery of which it is impossible to convey to an English reader any adequate notion, but which ran to the following effect.

"It is now, may it please your honourable Lordship, more than forty years since, with a mournful step and a heavy heart, I followed the remains of your Lordship's illustrious relative, the Duke of Rutland, to the grave." The moment this sentence had been pronounced, and it was uttered with a barbarous impressiveness, the Chancellor leaned forward, and assumed an aspect of profound attention. The Bar immediately composed their features into sympathy with the judicial countenance, and a general expression of compassion pervaded the court.

The extraordinary orator continued, "Yes, my Lord, the unfortunate man who stands before you did, as a

scholar of Trinity College, attend the funeral procession with which the members of the University of Dublin followed the relics of your noble relative to an untimely tomb. My eyes, my Lord, are now filled by my own calamities, but they were then moistened by that sorrow, which, in common with the whole of the loyal part of the Irish nation (for, my Lord, I am a Protestant), I felt for the loss of your noble and ever to be lamented kinsman." (The Bar looked up to Lord Manners, and, perceiving his Lordship's attention still more strongly riveted, preserved their gravity.) "Oh, my Lord, I feel that I am addressing myself to a man who carries a true nobleness of sentiment in every drop of his honourable blood. God Almighty bless your Lordship! you belong, ay, every bit of you, to the noble house of Rutland; and aren't you the uncle of a duke, and the brother of his Grace the Archbishop of Canterbury?"

"But in what cause, Mr. Mac Mahon, are you counsel?"—"In my own, my Lord. It is a saying, my Lord, that he who is his own counsel, has a madman for his client. But, my Lord, I have no money to fee my brethren. I haven't the *quiddam honorarium*, my Lord; and if I am mad, it is poverty and persecution, and the Jesuits, that have made me so. Ay, my Lord, the Jesuits. For who is counsel against me? I don't mean that Popish demagogue Daniel O'Connell, though he was brought up at St. Omer, and bad enough he is too, for abusing your Lordship about the appeals; but I mean that real son of Loyola, Tom ——, who was once a practising parson, and is now nothing but a Jesuit in disguise.* But let him

* Tom —— had taken deacon's orders, but the church suffered no loss when he changed the gown of a clergyman for that of a lawyer.

beware. Bagnal Harvey, who was one of my persecutors, came to an untimely end."

Such was the exordium of Counsellor Mac Mahon,* the rest of whose oration was in perfect conformity with the introductory passages from which I have given an extract. But, in order to form any estimate of his eloquence, you should have seen the prodigy itself; the vehemence of his gesture corresponded with the intensity of his emotions. His hands were violently clenched, and furiously dashed against his forehead. His mouth was spattered with discoloured foam. His wig, of unpowdered horse-hair, was flung off, and in the variety of frantic attitude which he assumed, his gown was thrown open, and he stood with scarcely any covering but his ragged shirt, in a state of frightful emaciation, before the court.

When this ridiculous but painful scene had concluded, "So much," I whispered to myself, "for the dignity of the Irish Bar!" I confess that I divested myself of my professional trappings, after having witnessed this exhibition of degradation and of misery, with very different feelings from those with which I had put them on; and as I walked from the Courts with the impression of mingled shame and commiseration still fresh upon me, I ventured to inquire of my own consciousness whether there was anything so cabalistic in the title of Counsellor, which I shared in common with the wretched man, whom I afterwards found

He was an open scoffer at religion. The editor remembers to have heard Mr. Sheil say of him, that he had met a good many infidels in his time, but that Tom ——— went beyond them all—"he seemed to have a personal animosity to the Supreme Being."

* This unfortunate man, who had distinguished himself in the University of Dublin, and in early life had married a woman of large fortune, was lately found dead in Sackville-street.—A.

to be in daily attendance upon the Hall, and whether I had not a little exaggerated the importance to which I imagined that every barrister possessed an indisputable claim. It occurred to me, of course, that the instance of calamity which I had just witnessed was a peculiar one, and carried with it more of the outward and visible signs of distress than are ordinarily revealed. But is agony the less poignant, because its groans are hushed? Is it because sorrow is silent, that it does not "consume the heart?" or did the Spartan feel less pain, because the fangs that tore him were hidden beneath his robe?

There is at the Irish Bar a much larger quantity of affliction than is generally known. The necessity of concealing calamity is in itself a great ill. The struggle between poverty and gentility, which the ostentatious publicity of the profession in Ireland has produced, has, I believe, broken many hearts. If the Hall of the Four Courts were the Palace of Truth, and all its inmates carried a transparency in their bosoms, we should see a swarm of corroding passions at court in the breasts of many whose countenances are now arrayed in an artificial hilarity of look; and even as it is, how many a glimpse of misery may be caught by the scrutinizing eye that pierces through the faces into the souls of men. The mask by which it is sought to conceal the real features of the mind will often drop off, and intimations of affliction will, upon a sudden, be involuntarily given.

This is the case even with those whom the world is disposed to account among the prosperous; but there is a large class, who to an attentive and practised observer, appear habitually under the influence of painful

emotion. The author of Vathek (a man conversant in affliction) has represented the condemned pacing through the Hall of Eblis with the same slow and everlasting foot-fall; and I confess, that the blank and dejected air, the forlorn and hopeless eye, the measured and heart-broken pace of many a man, whom I have observed in his revolution through the same eternal round in the Hall of the Four Courts, have sometimes recalled to me the recollection of Mr. Beckford's melancholy fancies.

If I were called upon to assign the principal cause of the calamities of which so many examples occur at the Irish Bar, I should be disposed to say that their chief source lay in the unnatural elevation to which the members of that body are exalted by the provincial inferiority to which Ireland is reduced. The absence from the metropolis of the chief proprietors, and indeed of almost all the leading gentry, has occasioned the substitution of a kind of spurious aristocracy. An Irish barrister is indebted for his importance to the insignificance of his country; but this artificial station becomes eventually a misfortune to those who are dependent upon their daily exertions for their support; and who, instead of practising those habits of provident frugality, which are imposed by their comparative obscurity upon the cloistered tenants of the two Temples,* become slaves to their transitory conse-

* Ireland is, I believe, the only country where there exists among the Bar this preposterous tendency to ostentatious expense. The French Bar, for example, live in respectable privacy, and are wholly free from extravagance. It is, I fancy, a mistake to suppose that the profits of the more eminent among them are too inconsiderable to permit of the silliness of display. The fees paid to French counsel of reputation, for their opinions, are large. Those opinions indeed are elaborate essays upon the

quence; and, after having wasted the hard earnings of their youth and manhood in preposterous efforts of display, leave their families no better inheritance than the ephemeral sympathy of that public, whose worthless respect they had purchased at so large a cost. Let

law, and are called "Consultations." I had occasion, when in Paris, to consult Trippier, who is accounted the best lawyer in Paris. He lives in the Rue Croix des Petits Champs, in apartments of a small size and indifferently furnished; and although he has amassed a large fortune, and has only two daughters, lives with a prudence, which, if an Irishman were to publish a dictionary of synonymes, would be inserted as another name for avarice. I was not a little anxious to see this celebrated advocate, and waited impatiently in his study for his arrival. A French lawyer accompanied me, who observed that all his books related exclusively to law. The speeches of Cochin and Patin seemed indeed to be the only works connected with literature in his library. I was informed that Trippier valued nothing but the profits of his trade, and that he was wholly innocent of the sin of polite reading. At last the great *legiste* appeared. I was instantaneously struck with his strong resemblance to Curran. He is of precisely the same dimensions, has a countenance cast in the same mould, the same complexion, the same irregularity of feature, and the same black and brilliant eye. It also surprised me to find that there was an affinity in the sound of the voice, and a similar tendency to place the hand on the chin, and to throw up the head and eye, in the act of speaking. He received us with brief courtesy, and seemed very anxious that we should proceed at once to the point. He placed himself in a huge chair, and assumed a most oracular aspect. I was a good deal amused by the transition of his manner, in which there was not a little of the conjuror. He drew one knee over the other, and extended his foot, which was covered with a tight green slipper. He wrapped himself up in his black silk *robe de chambre*, sustained his head with his left hand, fixed his forefinger on his brow, and placing his right hand to his mouth, protruded his nether lip with an air of infallibility. After hearing an oral statement, to which he gave an occasional nod, he put his fee into his pocket, and saying that the facts should be set forth upon paper, and that he should then write his opinion, bowed us out of the room.—*Nota Bene*. A French lawyer receives a double fee on a written statement, and fifteen Napoleons are not unusually paid to Trippier.—A.

any man look back to the numerous instances in which appeals have been made to the general commiseration upon the decease of some eminent member of the Bar, and he will not be disposed to controvert the justice of this censure upon the ostentatious tendencies of the profession.

The life of an eminent lawyer may be thus rapidly sketched. He is called without any other property than those talents which have not in general a descendible quality. For some years he remains unemployed: at last gets a brief, creeps into the partialities of a solicitor, and sets up a bag and a wife together. Irish morality does not permit the introduction into the chambers of a barrister of those moveable objects of unwedded endearment, which Lord Thurlow used to recommend to the juvenile members of the profession; and marriage, that perpetual blister, is prescribed as the only effectual sanative for the turbulent passions of the Irish Bar. In the spirit of imprudence, which is often mistaken for romance, our young counsellor enters with some dowerless beauty into an indissoluble copartnership of the heart. A pretty pauper is almost sure to be a prodigal. "Live like yourself, is soon my lady's word." Shall Mrs. O'Brallaghan, the wife of a mere attorney, provokingly display her amorphous ankle, as she ascends the crimson steps of her carriage, with all the airs of fashionable impertinence; and is the wife of a counsellor in full practice, though she may have "ridden double" at her aunt Deborah's, to be unprovided with that ordinary convenience of persons of condition?

After a faint show of resistance, the conjugal injunction is obeyed. But is it in an obscure street that

the coachman is to bring his clattering horses to an instantaneous stand? Is he to draw up in an alley, and to wheel round in a *cul de sac?* And then there is such a bargain to be had of a house in Merrion-square. A house in Merrion-square is accordingly purchased, and a bond, with warrant of attorney for confessing judgment thereon, is passed for the fine. The lady discovers a taste in furniture, and the profits of four circuits are made oblations to *virtù.* The counsellor is raised to the dignity of king's counsel, and his lady is initiated into the splendours of the Viceregal court.

She is now thrown into the eddies of fashionable life; and in order to afford evidence of her domestic propensities, she issues cards to half the town, with an intimation that she is "at home." She has all this while been prolific to the full extent of Hibernian fecundity. The counsellor's sons swagger it with the choicest spirits of Kildare-street; and the young ladies are accomplished in all the multifarious departments of musical and literary affectation. Quadrilles and waltzes shake the illuminated chambers with a perpetual concussion. The passenger is arrested in his nocturnal progress by the crowd of brilliant vehicles before the door, while the blaze of light streaming from the windows, and the sound of the harp and the tabor, and the din of extravagance, intimate the joyaunce that is going on within.

But where is the counsellor all this while? He sits in a sequestered chamber, like a hermit in the forest of Comus, and pursues his midnight labours by the light of a solitary taper, scarcely hearing the din of pleasure that rolls above his head. The wasteful splendour of the drawing-room, and the patient drudgery of the

library, go on for years. The counsellor is at the top of the forensic, and his lady stands upon the summit of the fashionable, world. At length death knocks at the door. He is seized by a sudden illness. The loud knock of the judges peals upon his ear, but the double tap of the attorney is heard no more. He makes an unavailing effort to attend the Courts, but is hurried back to his house, and laid in his bed. His eyes now begin to open to the realities of his condition. In the loneliness and silence of the sick man's chamber a train of reflections presents itself to his mind, which his former state of professional occupancy had tended to exclude. He takes a death-bed survey of his circumstances; looks upon the future; and by the light of that melancholy lamp that burns beside him, and throws its shadowy gleams upon his fortunes, he sees himself at the close of a most prosperous life, without a groat.

The sense of his own folly and the anticipated destitution of his family settle at his heart. He has not adopted even the simple and cheap expedient of insuring his life, or by some miserable negligence has let the insurance drop. What is to become of his wife and his children? From the source of his best affections, and of his purest pleasures, he drinks that potion—that *aqua Tophana* of the mind, which renders all the expedients of art without avail. Despair sits ministering beside him with her poisoned chalice, and bids defiance to Colles and to Cheyne.* His family gather about him. The last consolations of religion are given

* The former the most eminent surgeon, the latter the first physician in Dublin at the period when this sketch was written. Neither of them is now living.

amidst heart-broken sobs; and as he raises himself, and stretches forth his head to receive the final rite, he casts his eyes upon the wretches who surround him, and shrinks back at the sight.

It is in the midst of a scene like this, and when the hour of agony is at hand, that the loud and heartless voice of official insolence echoes from chamber to chamber; and, after a brief interval, the dreadful certainty, of which the unhappy man had but too prescient a surmise, is announced. The sheriff's officers have got in; his majesty's writ of *fieri facias* is in the progress of execution; the sanctuaries of death are violated by the peremptory ministers of the law, the blanket and the silk gown are seized together; and this is the conclusion of a life of opulence and of distinction, and, let me add, of folly as well as fame. After having charmed his country by his eloquence, and enlightened it by his erudition, he breathes his last sigh amidst the tears of his children, the reproaches of his creditors, and a bailiff's jest.

The calamities of which I have drawn this sombre picture, are the result of weakness and ostentation. Their victims are, upon that account, less deserving of commiseration than the unhappy persons whose misfortunes have not been their fault. This obvious reflection recalls the image of Henry MacDougall. I hear his honest laugh, which it was good for a splenetic heart to hear; I see the triumph of sagacious humour in his eye; those feats of fine drollery, in which pleasantry and usefulness were so felicitously combined, rise again to my recollection; the roar of merriment into which the bar, the jury, and the bench used to be thrown by this master of forensic mirth, returns upon my ear;

but, alas! a disastrous token, with the types of death upon it, mingles itself with these associations. Poor MacDougall! he was prized by the wise and beloved by the good; and, with a ready wit and a cheerful and sonorous laugh, he had a manly and independent spirit and a generous and feeling heart.

Mr. MacDougall was at the head of the Leinster circuit, and was, if not the best, among the very first class of cross-examiners at the Bar. No man better knew how to assail an Irish witness. There was, at first, nothing of the brow-beating or dictatorial tone about this good-humoured inquisitor, who entered into an easy familiarity with his victim, and addressed him in that spirit of fantastic gibe, which is among the characteristics of the country. The witness thought himself on a level with the counsellor who invited him to a wrestling-match in wit, and, holding it a great victory to trip a lawyer up, promptly accepted the challenge. A hard struggle used often to ensue, and many a time I have seen the counsellor get a severe fall. However, he contrived to be always uppermost at last. The whole of "the fancy," who are very numerous in Dublin, used to assemble to witness these intellectual gymnastics. A kind of ring was formed round the combatants, and my Lord Norbury sat as arbiter of the contest, and insisted upon fair play. The peals of laughter which were produced by his achievements in pleasantry procured for MacDougall the title of "MacDougall of the Roar."

I shall not readily forget his last display. An action for slander was brought by an apothecary against a rival pharmacopolist. One of the apprentices of the plaintiff was his leading witness, and it fell to Mr. MacDougall to cross-examine him. The wily lawyer induced the

youthful Podalirius to make a display of his acquirements in detailing the whole process of his art. The farce of "the Mock Doctor" has never produced more mirth. All the faculty attended, and the crowd of doctors, surgeons, and man-midwives reached the roof. They were, however, reluctantly compelled to join in the tumult of laughter created by this formidable jester at their expense. The chorus of apothecaries in Moliere's "Malade Imaginaire," in which the various mysteries of the profession are detailed, does not disclose more matter for merriment than was revealed in the course of this ludicrous investigation. It is recorded of the "satirical knave," that he was assailed by the illness of which he died during the personation of a character intended as a ridicule upon the faculty. I sat close to Mr. MacDougall, and, while I participated in all its mirth, my attention was attracted by a handkerchief, which the author of all this merriment was frequently applying to his mouth, and which was clotted with blood. I thought at first that it proceeded from some ordinary effusion, and turned again towards the witness, when a loud laugh from the counsel at the success of a question which he had administered to the young apothecary, touching his performance of Romeo in the private theatre in Fishamble-street, directed my notice a second time to Mr. MacDougall, and I perceived that, while the whole auditory was shaken with mirth, he was taking a favourable opportunity of thrusting the bloody handkerchief into his bag, without attracting the general attention, and immediately after applied another to his lips.

Again he set upon the Romeo of Fishamble-street, and produced new bursts of ridicule, of which he took

advantage to steal his bloody napkins away, and to supply himself, without notice, with the means of concealing the malady which was hurrying him to the grave. A day or two after this trial his illness and his ruin were announced. His high reputation in his profession, his private worth, his large family, and the opinion which had been entertained of his great professional prosperity, fixed the public attention upon him. It was at last discovered that all the earnings of a laborious life had been laid out in speculations upon lands belonging to the corporation of Waterford, to the reprerentation of which, it is supposed, he aspired. He had borrowed large sums of money, and had subjected himself to enormous rents. He was induced, in the hope of ultimately retrieving his circumstancess, to involve himself more deeply in debt; and the rank of King's Counsel, to which he was raised by Mr. Plunket, in a manner equally honourable to both, offered a new career to his talents, and led him to expect that all his difficulties might be at last surmounted.

But the hope was a vain one. The pressure was too great for him to bear, and he sank at last beneath it. For a long time he struggled hard to conceal the state of his circumstances and of his mind, and assumed a forced hilarity of manners. He was conspicuous for an obstreperous gaiety at the bar-mess on his circuit, and no man laughed so loudly or so long as he did; but when his apparently exuberant spirits were spoken of, those who knew him well shook their heads, and hinted that all was not right within. And so it proved to be. His mind had for years been corroded with anxieties. His constitution, although naturally vigorous, was slowly shaken by the sapping of continual care. A mortal

disease at length declared itself, in the increasing gush of blood from the gums, which he had employed the expedients thatI have mentioned to conceal. Yet even in the hours of advancing dissolution, he could not be induced to absent himself from court; and the scene which I have been describing was one of those in which, if I may so say, Momus and Death were brought into fellowship.

He died a short time after the trial in which I had noted this painful incident. To the last, his love of ludicrous association did not desert him. A little while before his departure, one of his oldest friends was standing at his bed-side and bidding him farewell. During this melancholy parting, a collapse of the jaws took place, which rendered it necessary to tie a bandage under the chin; and in the performance of the operation, with the blood still oozing from his mouth, and trickling down the sheets, he turned his eyes languidly to his friend, and muttered, with a faint smile, "I never thought to have died chapfallen." This observation was not the result of insensibility; quite the reverse. "You should have seen him when he spoke it," said the person who mentioned the circumstance; "I felt like the companion of Yorick's death-bed, who perceived, by a jest, that the heart of his friend was broken." It is consolatory to know, that since his death his property has been turned to good account, and that his family are placed in independence.

Never to attain to station at the Bar; to carry the consciousness of high talent; to think that there is a portable treasure in one's mind, which the attorneys do not condescend to explore; to live for years in hope, and to feel the proverbial sickness of the heart arising

from its procrastination—these are serious ills. But the loss of business, at an advanced period of life, is a far greater calamity than never to have attained its possession. Yet a distinction is to be taken. Those who have been deserted by their business are divisible into two classes, who are essentially different: the prudent, who, with the forecast which is so rare a virtue in Ireland, have taken advantage of the shining of their fortunes, and, by a sagacious accumulation, are enabled to encounter the caprices of public favour; and they who, after a life of profuseness, find themselves at last abandoned by their clients, without having preserved the means of respectable support. The former class suggest a ludicrous, rather than a melancholy train of images. The contemplation of a rich man out of employment affords more matter for merriment than for condolence.

To this body of opulent veterans my friend Pomposo belongs. His success at the Bar was eminent. He possessed, in a high degree, a facility of fluent and sonorous speech, and had an imposing and well-rounded elocution, a deep and musical voice, a fine and commanding figure, and a solemn and didactic countenance. He flourished at a period when a knowledge of the minute technicalities of the law was not essential at the Irish Bar. There was a time when an Irish counsellor was winged to heaven by a bill of exchange, and drew tears from the jury in an ejectment for non-payment of rent. In those days Pomposo was in the highest repute; and such was the demand for him, that the attorneys upon opposite sides galloped from the assize towns to meet him, and sometimes arriving at the same moment at the open windows of his carriage, thrust in

their briefs, with a shower of bank-notes, and simultaneously exclaimed that the counsellor belonged to them. Upon these occasions Pomposo used to throw himself back in his post-chaise with an air of imperious nonchalance, and, pocketing the money of both parties, protest that it was among the calamities of genius to be stopped in the king's highway, and, drawing up the windows of his carriage, commanded the postilion to drive on.

This half-yearly triumph of eloquence through the Munster circuit lasted for a considerable time, and Pomposo found himself a rich man. When after the enactment of the Union, English habits began to appear, and the iron age of demurrers and of nonsuits succeeded to the glorious days of apostrophes and harangues, it was all over with Pomposo. Still he loved the Four Courts, and haunted them. Becoming at last weary of walking the Hall, he took refuge in the Library attached to the Courts. It was pleasant to hear him ask, with an air of earnestness, for the oldest and most unintelligible repertories of black letter, in which he affected to seek a pastime. Bracton seemed to be his manual, and Fleta his vade-mecum. I have heard his deep and solemn voice, which still retained its old rhetorical tones, breaking in upon the laborious meditations of the young gentlemen who had recently returned from Butler's or Sugden's offices, bristling with cases and with points, and who just raised up their heads and invested their features with a Lincoln's-inn expression at any intrusion of a lawyer of the old school into this repository of erudition. Pomposo, having armed himself with one of the year-books, took his station tranquilly by the fire, and after stirring it, and commenting with his habitual

magniloquence upon the weather, threw open the annals of justice in the reign of the Edwards, and fell fast asleep. It has been recorded of him that he has been heard, upon these occasions, to speak in his slumbers; and while Queen Mab was galloping on his fingers, he has alternately intermingled the prices of stocks with adjurations to a Munster jury.

Pomposo still goes the circuit. No man is more punctual in his attendance at the exact hour of dinner at the Bar-room. The junior, who is generally fresh from a pleader's office, and enamoured of Nisi Prius upon his first tour, remains in court until the business is concluded, and thus neglects the official duty which requires his presence at the Bar-room at five o'clock. Pomposo and an old friend or two enter together. Pomposo draws forth his watch, and exclaims, "Ten minutes past five o'clock, and the junior not yet come!" Having a taste for music, he beguiles the time with humming some of those airs for which he was famous in his youth, and goes through the best portion of the "Beggar's Opera," when six o'clock strikes. "I protest it is six o'clock, and the junior is not yet come—'When the heart of a man,' &c.;" and so Pomposo continues until seven o'clock, alternately inveighing against the remissness of modern juniors, and, as Wordsworth has expressed it,

> "whistling many a snatch of merry tunes
> That have no mirth in them."

The wealth which this very respectable gentleman has accumulated raises him above the sympathy of the Bar. The other class of barristers without employment falls more immediately under the title with which I have headed this article. There was a set of men at

the Irish bar who, I think, may be designated as "the Yelverton school of lawyers." Lord Avonmore, the Chief Baron of the Exchequer, whose name was Barry Yelverton, originally belonged to that grade in society which is within the reach of education, but below that of refinement. He never lost the indigenous roughness and asperity of character, which it has been said to be the office of literature to soften and subdue; but he had a noble intellect, and in the deep rush of his eloquence the imperfections of his manner were forgotten. His familiarity with the models of antiquity was great, and his mind had imbibed much of the spirit of the orators of Greece and Rome, which he infused into his own powerful discourses. So great was his solicitude to imbue himself with the style of the eminent writers whom he admired, that he translated several of their works, without a view to publication.

His talents raised him to the highest place at the Bar, and his political complaisance lifted him to the Bench. In private life he possessed many excellent qualities, of which the most conspicuous was his fidelity in friendship. In his ascent, he raised up the companions of his youth along with him. The business of the Court of Exchequer was, under his auspices, divided among a set of choice spirits who had been the boon companions of his youth, and belonged, as well as himself, to a jovial fraternity, who designated themselves by the very characteristic title of "Monks of the Screw."* These merry gentlemen encountered a non-

* "A patriotic and convivial society," says Mr. William Henry Curran, in his life of his father, who was one of the original members, "composed of men such as Ireland could not easily assemble now. It was a collection of the wit, the genius, and public virtue of the country;

suit with a joke, and baffled authority with a repartee. A system of avowed and convivial favouritism prevailed in the court; and the "fecundi calices" which had been quaffed with his Lordship, were not unnaturally presumed to administer to the inspiration of counsel on the succeeding day. The matins performed in court were but a prolongation of the vespers which had been celebrated at the abbot's house; and as long as the head of the order continued on the bench, the "Monks of the Screw" were in vogue; but when the Chief Baron died, their bags were immediately assailed with atrophy. They lost their business, and many of them died in extreme indigence. It may be readily imagined that their habits were inconsistent with the spirit of

and though the name of the society itself is not embodied in any of the national records, the names of many of its members are to be found in every page, and will be remembered, while Ireland has a memory, with gratitude and pride."

The club had a chartered song, which was written by Curran. The following are two of the stanzas:—

"When St. Patrick this order established,
He called us the Monks of the Screw;
Good rules he revealed to our Abbot,
To guide us in what we should do.
But first he replenished our fountain
With liquor the best in the sky,
And he swore on the word of a saint
That the fountain should never run dry.

"Come each take his chalice, my brethren,
And with due devotion prepare,
With hands and with voices uplifted,
Our hymn to conclude with a prayer.
May this chapter oft joyously meet,
And this gladsome libation renew,
To the Saint, and the Founder, and Abbot,
And Prior and Monks of the Screw."

saving. They were first pitied, then forgotten, and soon after buried.

Most of these gentlemen flourished and withered before my time. One of them, however, I do remember, who survived his companions, and whose natural vitality of spirit, and Diogenes turn of philosophy, sustained his energy to the last. This was Mr. Jeremiah Keller, who was universally known by the more familiar appellation of Jerry Keller in the Courts. The attorneys could deprive him of his briefs, but could not rob him of his wit. He was a man

> "——— replete with mocks,
> Full of comparisons and wounding flouts."

The loss of business served to whet his satire and give more poignancy to his biting mirth. He used to attend the hall of the Courts with punctuality, and was generally surrounded by a circle of laughers, whom the love of malicious pleasantry attracted about him. His figure and demeanour were remarkable. He never put on his wig and gown, as he scorned the affectation of employment, but appeared in an old frieze great-coat of rusty red, which reached to his heels, and enveloped the whole of his gaunt and meagre person. A small and pointed hat stood upon his head, with a narrow and short curled brim. His arms were generally thrust into the sleeves of his coat, which gave him a peculiarity of attitude. Looking at him from a distance, you would have taken him for some malevolent litigant from the country, upon whose passions a group of mockers were endeavouring to play; but, upon a more attentive perusal of his countenance, you perceived a habit of thought of a superior order, and the expression of no ordinary mind.

His features were sharp, and pointed to the finest edge. There was that acuteness of the nose which denotes the lover of a gibe. His eyes were piercing, clear, and brassy; they were filled with a deadly irony, which never left them. A flash of malignant exultation played over his features when he saw how deeply the shaft had struck, and with what a tenacity it stuck to his victim. The quiver of his lip, in giving utterance to some mortal sneer, was peculiarly comical: he seemed as if he were chewing the poison before he spat it forth. His teeth gave a short chatter of ridicule; you heard a dry laugh, a *cachinnus* which wrinkled all his features, and, after a sardonic chuckle, he darted forth the fatal jest, amidst those plaudits for its bitterness which had become his only consolation.

Jerry Keller, as the senior, presided at the mess of the Munster bar, and ruled in all the autocracy of unrivalled wit. It was agreed upon all hands that Jerry should have *carte-blanche* with every man's character, and that none of his sarcasms, however formidable, should provoke resentment. This was a necessary stipulation; for when he had been roused by those potations in which, according to a custom which he did not consider as "honoured by the breach," he liberally indulged, there was a Malagrowther savageness in his sarcasm which made even the most callous shrink. He who laughed loudest at the thrust which his neighbour had received, was the next to feel the weapons of this immitigable satirist. To enter into a struggle with him, was a tempting of God's providence. You were sure to be pierced in an instant by this accomplished gladiator, who could never be taken off his guard. Jerry had been a Catholic, and still retained a lurking

reverence for a herring upon Good Friday. A gentleman of no ordinary pretension, observing that Jerry abstained from meat upon that sacred day, ventured to observe, "I think, Jerry, you have still a damned deal of the *Pope* in your belly."—"If I have," said Jerry, "you have a damned deal of the *Pretender* in your head."*

I was one day (let not my reader allow himself to be startled by too sudden a transition from Dublin to Constantinople)—I was, I recollect, one day repeating this sarcasm to a gentleman who had recently returned from the East, and mentioned the name of the barrister, Mr. N——, to whom it had been applied; and I was a good deal surprised, that, instead of joining in a laugh at the bitterness of the retort, his face assumed a melancholy expression. I asked him the cause of it, when he told me, that the name which I had just uttered, had recalled to him a very remarkable and very painful incident which had happened to him at Constantinople. I begged him to relate it. "I was one evening," he said, "walking in the cemeteries of Constantinople. But I have, I believe, written an account of this adventure in my journal, and had better read it to you." He accordingly took a huge book from a drawer, and read as follows:

"It is not unusual for the inhabitants of the Asiatic portion of the great capital of Islamism, to walk in the evening amidst the vast repositories of the dead, which are adjacent to Scutari. Death is little dreaded in the East, while the remains of the deceased are objects of tenderness and respect among their surviving kindred. This pious sentiment being unaccompanied by that

* Mr. Keller is also mentioned in the sketch of Lord Norbury, where his remark on the elevation of Judge Mayne is related.

dismay with which we are apt to look upon the grave, attracts the Turks to the vast fields where their friends and kindred are deposited. I proceeded upon a summer evening, from Constantinople properly so called, to the Asiatic side, and entered the vast groves of cypresses which mark the residence of the dead. The evening was brilliant. There was not a breath of wind to stir the leaves of those dismal trees, which spread on every side as far as the sight can reach, and being planted in long and uniform lines, open vistas of death, and conduct the eye through long sweeps of sepulchres to the horizon. The dwellings of the dead were filled with the living. The ranges of cypresses were crowded with Turks, who moved with that slow and solemn gait which is peculiar to the country. The flowing and splendid dresses of those majestic infidels, their lofty turbans, of which the image is sculptured upon every monument, their noble demeanour, and their silence and collectedness, by the union of life and death together, gave an additional solemnity to this imposing spectacle.

"The setting of the sun threw a mournful splendour upon the foliage of the trees, and lighted up this forest of death with a funereal glory. I leaned against a cypress which grew over a grave on which roses had been planted. From this spot, full of those "flower-beds of graves," as Mr. Hope has called them, and which mothers or sisters had in all likelihood so adorned (it is the usage in the East to apparel a tomb with these domestic tokens of endearment), I looked around me. While I was contemplating this "patrimony of the heirs to decay," my attention was attracted by a man dressed in tattered white, and with a ragged turban on his head, who stood at a small distance from

me, and, although attired in the dress of the country, had something of the Frank in his aspect. There was an air of extreme loneliness and desolation about him. He leaned with his back to a marble sepulchre, which was raised by the side of the public road that for miles traverses the cemeteries. His arms were folded, his head was sunk on his chest, and his eyes fixed upon the earth. The evening was far advanced, and, as it grew dark, the crowd who had previously filled the cemeteries began to disperse. As the brightness of the evening passed away, I perceived that dense and motionless cloud of stagnant vapours which had disappeared in the setting sun, but which, Mr. Hope tells us, for ever hangs over these dreary realms, and is exhaled from the swelling soil ready to burst with its festering contents. A chilly sensation stole upon me, and I felt that I was 'set down in the midst of the valley which was full of bones.' I was about to depart from this dismal spot, when, looking towards the sepulchre where I had observed the solitary figure I have been describing, I perceived that he was approaching. I was at first a little startled, and, although my apprehensions passed away when he addressed me in the English language, my surprise, when I looked at him, was not a little increased. He said, that he conjectured from my appearance that I was an Englishman; and was proceeding to implore, with the faltering of shame, for the means of sustenance, when I could not avoid exclaiming, 'Gracious God! can it be?'—'Alas!' said the unfortunate man, covering his face with his hands, 'it is too true, I am Mr. N—— of the Irish bar.'"

The gentleman who read this singular incident from

his journal, was at the time employed in writing a Tour in the East, and may have tinged his description of the cemeteries of Stamboul with some mental colours. But, of the fact of this interview having taken place in the burial-ground of Constantinople, I have no doubt. It would not be easy to imagine adventures more disastrous than those of the unhappy Mr. N——. He moved in Dublin in the highest circles, and was prized for the gracefulness of his manners and the gaiety of his conversation. He became a favourite at the Castle, and was admitted to the private parties at the Viceregal palace. The late Duchess of Gordon visited Ireland, and was greatly pleased with his genius for losing at piquet. No person was preferred by that ingenious dowager to a votary of fortune who still continued to worship at a shrine where his prayers had never been heard. It was rumoured that he was every day plunging himself more deeply into ruin; still he preserved his full and ruddy cheek, and his glittering and cheerful eye. Upon a sudden, however, the crash came, and his embarrassments compelled him to leave the country.

He had one friend. Mr. Croker, of the Admiralty, had known him when he was himself at the Irish Bar, and was diligently employed in writing those admirable satires, with which I shall endeavour, upon some future occasion, to make the English public better acquainted; for Mr. Croker is not only the author of "The Battle of Talavera," but likewise of the "Familiar Epistles," and is thought to have assisted Mr. N—— in the composition of "The Metropolis." These very able pasquinades were but the preludes to high undertakings. It does Mr. Croker great honour, that, in his emergencies,

his brother barrister and satirist was not forgotten. The honourable secretary procured a lucrative situation for Mr. N—— in the island of Malta. His Irish friends looked forward to the period when he should be enabled, after recruiting his circumstances, to return to Ireland, and to reanimate Kildare-street Club-house with that vivacious pleasantry, of which he was a felicitous master; when, to every body's astonishment, it was announced that Mr. N—— had left the island, had taken up his residence at Constantinople, and renounced his religion with his hat.

He became a renegade, and invested his brows with a turban. The motives assigned for this proceeding it is not necessary to mention. It is probable, that he involved himself a second time by play, and that he had no other resource than the expedient of a conversion, through the painful process of which he heroically went. Having carried some money with him to Constantinople, he at first made a considerable figure. He was dressed in the extreme of Turkish fashion, and was considered to have ingratiated himself by his talents into the favour of some leading members of the Divan.

His prosperity at Constantinople, however, was evanescent. His money was soon spent, and he fell into distress. Letters of the most heart-rending kind were written to his friends in Dublin, in which he represented himself as in want of the common means of subsistence.

It was in this direful state of destitution, that he addressed himself, in the cemeteries of Constantinople, to a person whom he guessed to be a native of these countries, and whom he discovered to be his fellow-citizen. His condition was lamentable beyond the

power of description. His dress was at once the emblem of apostacy and of want. It hung in rags about a person which, from a robust magnitude of frame, had shrunk into miserable diminution. He carried starvation in his cheeks; ghastliness and misery overspread his features, and despair stared in his glazed and sunken eye. He did not long survive his calamities. The conclusion of his story may be briefly told. For a little while he continued to walk through the streets of Constantinople, in search of nourishment, and haunted its cemeteries like the dogs to which Christians are compared. He had neither food, roof, or raiment. At length he took the desperate resolution of relapsing into Christianity; for he indulged in the hope, that, if he could return to his former faith, and effect his escape from Constantinople, although he could not appear in these countries again, yet, on the Continent, he might obtain at least the means of life from the friends who, although they could not forgive his errors, might take compassion upon his distress. He accordingly endeavoured to fly from Constantinople, and induced some Englishmen who happened to be there, to furnish money enough to effect his escape. But the plot was discovered. He was pursued and taken at a small distance from Constantinople; his head was struck off upon the beach of the Bosphorus, and his body thrown into the sea.*

* The name of this unfortunate person was Northcote.

DIARY OF A BARRISTER.

[MARCH, 1826.]

I AM an Irish Barrister, and go the Leinster Circuit. I keep a diary of extra-professional occurrences, in this half-yearly round,—a sort of sentimental note-book, which I preserve apart from the *nisi prius* adjudications of the going judges of assize. In reading over my journal of the last Circuit, I find much matter which with more leisure I could reduce into better shape. I shall content myself for the present with an account of the last assizes, or rather of myself during the last assizes of Wexford, premising that I do little more than transcribe the record of my own feelings and observations from a diary, to which, as I have intimated, they were committed without any intention that they should be submitted to the public eye. This will account for the character of the incidents, and the want of classification in their detail.

I set off from Dublin on the 17th of July, and on Sunday morning passed in the mail-coach through Ferns. In England, a barrister is not permitted to

travel in a public vehicle, lest he should be placed in too endearing a juxta-position to an attorney. But in Ireland no such prohibition exists; and so little aristocracy prevails in our migrations from town to town, that a sort of connivance has been extended to the cheap and rapid jaunting-cars by which Signor Bianconi (an ingenious Italian) has opened a communication between almost all the towns in the south of Ireland.

Wexford is a very ancient town. It was formerly surrounded by walls, a part of which continue standing. They are mantled with ivy, and are rapidly mouldering away; but must once have been of considerable strength. The remains of an old monastery are situate at the western gate. By a recent order of vestry, (at which Catholics are not permitted to vote,) a tax was laid on the inhabitants for the erection of a new church upon the site of the monastic ruin. Upon entering Wexford I missed a portion of the old building. I walked into its precincts, and found that some of the venerable arches of the ancient edifice had been thrown down, to make way for the modern structure. The work of devastation had been going on among the residences of the dead. A churchyard encompasses these remains of Christian antiquity; and I observed that many a grave had been torn up, in order to make a foundation for the new Protestant church. The masons who had been at work the preceding day, had left some of their implements behind them. To behold the line and the trowel in the grave, would be at any time a painful spectacle; but this violation of the departed becomes exasperating to our passions, as well as offensive to our religious sentiments, when it is occasioned by an invasion of the ancient and proper demesne of the almost universal faith

of the people. Fragments of white bones had been thrown up, and lay mingled with black mould upon the green hillocks of the adjoining dead. "Why should not that be the skull of an Abbot?" I exclaimed, as I observed the fragments of a huge head which had been recently cast up: "little did he think, that, in the very sanctuary of his monastic splendour, he should ever be 'twitched about the sconce' by a rude heretical knave, and that a Protestant shovel should deal such profanation upon a head so deeply stored with the subtleties of Scotus and the mysteries of Aquinas!"

After passing some minutes in chewing the cud of these bitter fancies, I became weary of my meditations among the dead, and strolled towards the quay of Wexford, upon which both church and chapel had poured out all their promiscuous contents. Here was a large gathering of young damsels, who after having gone through their spiritual duties, came to perform the temporal exercise of an Irish Sabbath. There was a great display of Wexfordian finery. The women of Wexford of the better class have, in general, a passion for dress, to which I have heard that they sacrifice many of their domestic comforts. This little town is remarkable for a strange effort at saving and display. It is not uncommon to see ladies, who reside in small and indifferently furnished lodgings, issuing from dark and contracted lanes in all the splendour which millinery can supply. This tendency to extravagance in dress is the less excusable, because Nature has done so much for their faces and persons, as to render superfluous the efforts of Art. The lower, as well as higher classes, are conspicuous for beauty. There are two baronies in this county, in one of which the town is situate, the inhabi-

tants of which are descended from a colony planted by the first English settlers, who never having intermingled their blood with the coarser material of the country, have retained a perfectly characteristic physiognomy, and may be distinguished at a glance from the population of the adjoining districts. The Irish face, although full of shrewdness and vivacity, is deficient in proportion and grace. Before you arrive in Wexford, in traversing the craggy hills which overhang it, you meet with countenances at every step, which are marked by a rude energy and a barbarous strength. Through the cloud of smoke that rolls from the doors of a hovel of mud, you may observe the face of many an Hibernian damsel, glowing with a ruddy and almost too-vigorous health, made up of features whose rudeness is redeemed by their flexibility and animation, with eyes full of mockery and of will, and lips that seem to provoke to an encounter in pleasantry, for which they are always prepared. The dress of the genuine Irish fair is just sufficient to conceal the more sacred of their symmetries, but leaves the greater portion of their persons in a state of brawny and formidable nudity.

But when you descend from the hills to the eastern coast, you are immediately struck with a total dissimilarity of look, and cannot fail to notice a peculiarly English aspect. I am disposed to think the young women of the lower class in the baronies of Forth and Bargy, even more graceful and feminine than the most lovely of the English peasantry, whom I have ever had occasion to notice. Their eyes are of deep and tender blue, their foreheads are high and smooth, their cheeks have a clear transparent colour, and a sweetness of expression sits on their full fresh lips, which is united

with perfect modesty, and renders them objects of pure and respectful interest. They take a special care of their persons, and exhibit that tidiness and neatness in attire, for which their English kindred are remarkable. I have often stopped to observe a girl from the barony of Forth, in the market of Wexford, with her basket of eggs or of chickens for sale, and wished that I were an artist, in order that I might preserve her face and figure. Her bonnet of bright and well-plaited straw just permitted a few bright ringlets to escape upon her oval cheek: over her head was thrown a kerchief of muslin to protect her complexion from the sun. Her cloak of blue cloth, trimmed with grey silk, hung gracefully from her shoulders. Her boddice was tightly laced round a graceful and symmetrical person. Her feet were compressed in smart and well-polished shoes; and as she held out her basket to allure you into a purchase of her commodities, her smile, with all its winningness, was still so pure, that you did not dare to wish that she should herself be thrown into the bargain.

It is clear that the peasantry of these districts are a superior and better-ordered tribe. Industry and morality prevail amongst them. Crime is almost unknown in the baronies of Forth and Bargy. The English reader will probably imagine that they must be Protestants. On the contrary, the Roman Catholic religion is their only creed, and all efforts at proselytism have wholly failed. It has often been considered as singular, that the Irish rebellion should have raged with such fierceness among this moral and pacific peasantry. Some are disposed to refer the intensity of their political feelings to their attachment to the Catholic religion; but I believe that the main cause of the temporary

ferocity into which they were excited, and in the indulgence of which they, for a while, threw off all their former habits, had its origin in the excesses of which a licentious soldiery were guilty, and that the dishonour of their wives and daughters impelled them to revenge and blood.

I have extended my description of the inhabitants of these two Saxon districts (for they may be so called) beyond the limits I had proposed. But I write in a desultory fasiou, upon matters which are in themselves somewhat unlinked together. While I was wandering up and down the quay of Wexford, and, after having fed my eyes to satiety, was beginning to yield to the spirit of oscitation which is apt to creep upon a lawyer on the Sabbath, a gentleman had the goodness to invite me to accompany him up the river Slaney, to a fine wood upon the banks of the stream, where he proposed that his party should dine upon the refreshments with which his barge was copiously stored. I gladly took advantage of this very polite invitation; the wind was favourable, and wafted us along the smooth and glassy stream with a rapid and delightful motion. The banks are remarkable for their beauty. On the right hand, as you proceed up the river, the seat of the La Hunt family offers a series of acclivities covered with thick and venerable wood. The temperature of the air is so soft, and the aspect so much open to the mid-day sun, that shrubs which are proper to southern latitudes grow in abundance in these noble plantations. At every turn of the stream, which winds in a sheet of silver through a cultivated valley, landscapes worthy of the pencil of Gainsborough or of Wilson are disclosed. Castles, old Danish forts, the ruins of monasteries, and, I should

add, the falling halls of absentees, appear in a long succession upon both sides of the stream.

I was a good deal struck with a little nook, in which a beautiful cottage rose out of green trees; and asked who was the proprietor. It had been built, it seems, by Sir H. Bate Dudley, the former proprietor of the Morning Herald, who resided for some time upon a living given to him in this diocese. I was informed that he was respected by all classes, and beloved by the poor. His departure was greatly regretted. Not far from Sir H. Bate Dudley's cottage, is the residence of Mr. Devereux, of Carrick Nana. He is said to be descended from a brother of William the Conqueror, and certainly belongs to one of the most ancient families in Ireland. The political race of this gentleman is so honourably ardent, that he has gone to the expense of collecting portraits of all the parliamentary friends of Emancipation, and devoted a gallery to the purpose. After passing his seat, we saw Mount Leinster, towering in all its glory before us, with the sun descending upon its peak. Having reached the point of our destination, we landed in a deep and tangled wood, and sat down to dinner in a cave which overhangs the stream.

While we were sitting in this spot, which I may justly call a romantic one, a sweet voice rose from the banks beneath, in the music of a melancholy air. It was what I once heard a poor harper call "a lonesome air." I do not know whether certain potations compounded of a liquor which, in our love of the figurative, we have called "mountain dew," might not have added to the inspiration of the melody. When it ceased, we proceeded to discover the fair vocalist who had uttered

such dulcet notes, and whom one of us compared to the Lady in Comus. What was our disappointment, when, upon approaching the spot from which the music had proceeded, we found an assembly of Sabbatarian wassailers, who gave vent to a loud and honest laugh, as we arrived. The echoes took up their boisterous merriment, which reverberated through the woods and hills. The songstress who had so enchanted us, was little better than a peasant girl. These good people, who were sitting in a circle round a huge jug of punch, had resolved to participate in the beauty of Nature, of which we are all tenants in common, and like ourselves, had roved out from the town to dine in the wood. They entered their boat at the same time that we pushed off from the bank, and accompanied us.

It was now evening. The broad water was without a ripple. The sun had gone down behind Mount Leinster, and a rich vermilion was spread over the vast range of lofty and precipitous hills that bound the western horizon. The night was advancing from the east, towards which our boats were rapidly gliding. The woods which hang upon the banks, had thrown their broad shadows across the stream. We reached the narrow pass where the remains of a palace of King John, which is still called "Shaun's Court," stand upon the river, while the Tower of Fitzstephen rises upon the other bank. This was the first hold raised by the English upon their landing. It is built on a rock, and commands the gorge in which the Slaney is at this point narrowly compressed. While our barge was carried along the dark water, the fair vocalist, who was in the other boat, was prevailed upon to sing an Irish melody; our oars were suspended. Without any know-

ledge of music, she possessed a fine voice, and was not destitute of feeling. She selected an old Irish air, to which Moore has appropriately allied the misfortunes of Ireland. Wexford is the birthplace of the poet;* and as his beautiful words passed over the waters, I could not avoid thinking that in his boyhood he must often have lingered amidst the hills which surrounded us, in which the loveliness of Nature is associated with so many national recollections. It is not impossible that his mind may have taken its first tinge from these scenes, which it is difficult for even an ordinary person to contemplate without a mournful emotion. The enchanting melancholy of the air, which is commonly called "The Coulin," and which was sweetly and inartificially sung, went deeply into our hearts. The impression left by the poetry and the music, which were so well assisted by a beautiful locality, did not soon pass away.

While our spirits were still under the influence of the feelings which had been called forth by these simple means, the lights of the town of Wexford were descried. As we approached, I perceived the arches of the bridge, which stretches its crazy length from the town to the opposite side of the river. It was upon this bridge that the infuriated insurgents, upon becoming masters of Wexford, collected their prisoners, and murdered them in what I was going to call cold blood: but the phrase would be an inappropriate one. The passions of the people, which had been heated to the utmost intensity in the course of that frightful contest, had

* The publication of Mr. Moore's *Memoirs* has settled the question as to the place of his nativity. He was not born in Wexford, as Mr. Shiel supposed, but in Aungier-street, Dublin.

not lost their rage at the time that they were guilty of that terrific slaughter. A gentleman who sat by my side, had witnessed most of the events to which I am alluding.

As we neared the memorial of that horrible event, (for the Bridge of Wexford has almost become impassable, and scarcely serves any other purpose than that of preserving the recollection of the sanguinary misdeeds enacted upon it) I inquired the details of the massacre. He told me that some ninety persons, of both sexes, were placed by the rebels upon the bridge; that their fate was intimated to them; and that they were desired to prepare for death. The Catholic clergy interposed, without effect. The insurgents were bent upon revenge for the wrongs which most of them had individually sustained, and ferociously appealed to the blood upon their own doors, in vindication of what they had resolved to perpetrate. Their unfortunate victims fell upon their knees, and cried out for mercy. "You showed it not to our children," was the answer; and to such an answer no replication can be given in a civil war. At the appointed moment, the gates of the bridge were thrown open, and the work of death was almost instantaneously completed.

We had now approached sufficiently near the bridge to perceive its mouldering timbers with distinctness, and to hear the plash of the waters against its rotten planks. I am not guilty of any affectation when I say that the sound was peculiarly dismal. The continuous dash of the wave at all times (whatever be the cause, and I leave it to metaphysicians to assign it) disposes the mind to a mournful mood. Perhaps it is that the rush of water, of which we are warned by its momen-

tary interruption, suggests the ideas of transitoriness, and presents an image of the fleeting quality of our existence. But there was something in the sound of the river, as it broke upon the piles of decayed and bending timber that sustain the bridge of Wexford, of a peculiarly melancholy and more than common-place kind. I could not help thinking, as I surveyed that decayed but still enduring fabric (why does not the tide wash it into the sea?) that upon those shattered boards, and weed-mantled planks, there had been many a wretch who clung with a desperate tenacity for a little longer life, until a thrust of the insurgent's pike loosened the grasp of agony, and the corpse, after whirling for a moment in the eddies beneath, was wafted into the ocean, and became the sea bird's perch.

Such were the feelings with which I could not help looking upon this memorial of the shame and disasters of my country. A few days after, there occurred in this very spot a scene which tended rather to rivet than to weaken the political interest with which the bridge of Wexford ought to be surveyed. Mr. O'Connell was brought as special counsel to Wexford: the people determined to pay him all the honours which it was in their power to bestow. It was decided that an aquatic procession, if I may use the phrase, should meet him at Fitzstephen's Tower, and that he should be attended by the citizens from the ground where the English had fixed the foundations of their dominion. The counsellor was accordingly met, at the pass which I have described, by a fleet of boats, and was forced to step into a triumphal barge, manned by the choicest rowers who could be procured. They were

dressed in green jackets trimmed with gold. A large flag of the same emblematical colour, with a harp without a crown, floated from the stern. An immense multitude were assembled upon the banks, and a vast number of boats crowded the river. The counsellor entered the patriotic barge with a show of reluctance, and took his seat. Three cheers were given.

> Considunt transtris; intentaque brachia remis:
> Intenti expectant signum, exsultantiaque haurit
> Corda pavor pulsans, laudumque adrecta cupido.
> Inde, ubi clara dedit sonitum tuba, finibus omnes,
> Haud mora, prosiluêre suis: ferit æthera clamor
> Nauticus: adductis spumant freta versa lacertis.

The spectacle exhibited in Wexford upon this occasion was a striking one. The whole Catholic population poured forth to greet Mr. O'Connell, and thousands gathered upon the quay and bridge of Wexford to hail his arrival. The Protestants, who find in every incident of this kind an association with the events of 1798, stood with an expression of deep and angry gloom in the midst of all the turbulent exultation of their Popish fellow-citizens. I observed groups of silent and scowling men, whose physiognomies did not permit me to doubt their religion. They muttered a few words to each other, and seemed to gripe their hands as if they felt the yeoman's sabre already in their grasp. The Catholics were either heedless of their anger, or derided its impotence. They were assembled in vast numbers upon the bridge, which tottered beneath their weight. At length the counsellor's barge came in sight. A cheer followed every stroke of the oar, and at length he reached the point selected for his reception in the city, and stepped from his barge upon the bridge, which, I suppose, in the eyes of the Protestant portion of the spectators, grew red

beneath his footsteps. In their disturbed imaginations every foot-print was marked with blood.

The assizes opened. The judges were the Chief-Justice of the King's Bench, and Mr. Justice Johnson, one of the judges of the Court of Common Pleas. The former regularly goes the Leinster circuit; some of his immediate friends and kindred are upon it. Charles is the name of the Chief-Justice, and the constellated lights, by which he is surrounded, have been called "his wain." It is natural that a feeling of disrelish for this undeviating adherence to Leinster should exist at the Bar, and it is equally natural that the Chief-Justice should disregard it. The ancient residence of his family (which settled in Ireland in the reign of Charles the Second) is situate in the county of Kilkenny. It is for many reasons most dear to him. His attachment to this domestic spot does not arise from a mere idle pride of honourable birth, but takes its origin in a most noble action. Although not bound to do so, he sold his paternal property to pay his father's debts, repurchased it with the profits of his industry and his genius, and now holds the estate of his forefathers by a better title than descent. Lord Redesdale's nephew, Mr. Mitford, who was deposited in Ireland by his able uncle, has a great talent for drawing. One of his best pictures hangs over the chimney of the principal room at Kilmurry (the seat of the Chief-Justice) and appropriately represents Sterne's story of "the Sword." The subject was felicitously chosen. It is impossible that the Chief-Justice should not feel a strong attachment to a mansion which affords an evidence at once of his genius and of his virtues; and it would be strange if he did not exercise the privilege of selection which belongs

to his judicial rank, in favour of a circuit upon which his own property is situate, in almost immediate contiguity to every town in which it is his office to preside.

How far it is contrary to public policy to allow of this perpetual return of the same judge to the same circuit, admits of doubt. It is hard for a man of the purest mind to divest himself of preconceptions, formed by intimate and reiterated observation. A judge is also apt to take local views where he contracts topical connections, and may consider it necessary to administer justice with more rigour in districts with the habits of criminality of which he may have acquired a peculiar intimacy. A stronger anxiety for the suppression of atrocities in his own immediate vicinage is almost inevitable. Offences committed at our own door appear not only more formidable, but enormous. It is, however, but just to add, that if there be any judge, from whose constant attendance of the Leinster circuit, not only no positive evil, but an actual benefit arises, it is Charles Kendal Bushe. As far as my observation extends, he is perfectly impartial. The rank or the religion of parties, has no sort of weight with him; and to every case, whatever may be the circumstances attending it, he gives an equal and unbiassed hearing. His attention to the interests of the lower orders, evinced by the extraordinary solicitude with which he investigates their rights in the trial of Civil Bill Appeals,* is above all praise.

It was formerly usual to hear civil bills at the close of the assizes; and the persons interested, who are almost always of the humbler class, were kept in anxious and expensive attendance for a whole week upon the court.

* Appeals from the decisions of the Assistant Barristers at Quarter Sessions.

Poor creatures, whose very being was involved in the result of their appeals, were assembled in a dismal gathering in the town, and, before their causes were heard, had expended nearly the whole amount of the sum decreed against them, in awaiting the capricious pleasure of the judge to reverse the sentence of the inferior tribunal. When this branch of business was called on, the judge was generally impatient to leave the town, and hurried with a careless precipitation through matters which, however insignificant in the mind of the wealthier suitor, were of permanent moment to the wretched peasants, who flocked to the assizes for redress. The Chief-Justice has reformed those crying abuses, and devotes as much consideration to the trial of minor cases, as to causes of the greatest magnitude. He has, by introducing this practice, which could not have been established by him without a continued selection of the circuit, conferred signal advantages upon the public.

Mr. Justice Johnson was joined with the Chief Justice in the commission. He is the brother of the ex-judge of that name, who wrote the celebrated Letters of Juverna, and who is justly accounted one of the ablest men in Ireland.* The two brothers are men

* Neither of the Johnsons is now living. Robert Johnson, while a Judge of the Common Pleas, was the author of a libel, published in 1803 in *Cobbett's Weekly Register*, upon Lord Hardwicke, then Lord Lieutenant of Ireland, Lord Redesdale, the Chancellor, Judge Osborne, and others. Cobbett was tried for the publication in 1804, and found guilty. Subsequently evidence was obtained against the Judge himself, and having been indicted in England, he was arrested (or as his friends called it, "kidnapped") in Ireland, upon a warrant issued by Lord Ellenborough. The legality of the arrest was called in question, by writs of habeas corpus, in the King's Bench, and afterwards in the Exchequer, but after long arguments, in which Mr. Curran was Johnson's leading counsel, the arrest was held to be good by both courts. To be brief, a

of eminent talents, but wholly dissimilar in character. The political writer is calm, ironical, biting, and sarcastic, and uses shafts of the finest temper, steeped in venom. The present judge is vehement, impetuous, frank, and vigorous; and while the one shoots his finely feathered arrows, the other whirls about a massive and roughly knotted club. He is warm and excitable, and effervesces in an instant. This suddenness has its origin in the goodness of his nature. If he suspects collusion or fraud, or gets the least hint of baseness in any transaction, he immediately takes fire. In these moods of explosive honesty, there is something formidable to a person who does not know that the ebullitions of integrity subside as rapidly as they break out; and that, with all these indications of angry temperament, he is in reality a kind and tractable man.

conviction followed, but the proceedings went no further; the judge resigned his office, and retired on a pension.

The Letters of Juverna appeared in the *Dublin Evening Post.* The "finely feathered arrows," which Robert Johnson is described as shooting, is probably an allusion to a favourite project of the ex-judge, to familiarize the peasantry of Ireland with the use of the bow as an engine of patriotic warfare. But his warlike tastes exhibited themselves in other ways besides the cultivation of archery. Mr. Moore saw him in his rural retreat in 1830, and gives the following curious account of his visit:—

"Johnson's head runs upon military matters in a way most strange in an ex-judge of eighty. As soon as we got to his house, he took me into his library to show me the sort of short rifle which Lord Edward Fitzgerald recommended instead of the long unwieldy one used by the American Indians; also the kind of pike contrived either by Lord E. or by Johnson himself, to be used in *popular* warfare, as at once the most effective and portable. It was curious to see the little old judge, in an erect posture, and with an eye full of fire, slinging his rifle over his shoulder to show me with what ease it could be carried."—*Moore's Memoirs,* vol. iv.

At the same time we must beware of wantonly provoking him. "Noli irritare leonem," is a precept which the contemplation of his countenance has sometimes recalled to me. His deep voice that issues upon a hunter of subtleties in a roar, his broad and massive face, a pair of ponderous brows that overhang his flashing eyes, a certain shagginess of look, and a start of the whole body with which he erects himself, suggest the image of that "fine animal" to my mind. This learned and excitable person, with all his suddenness of emotion, is extremely good and kind-hearted; and although he may now and then say a rough thing, never aims a deliberate blow at the feelings or reputation of any man. As a criminal judge, he is truly merciful and compassionate; and as a civil one, is learned, sagacious, and acute. In the Court of Common Pleas he exhibits much more irritability than upon circuits. He is exasperated by the witticisms of Lord Norbury, who says that his brother is like a young horse, and wishes to draw the entire coach himself. To adopt his Lordship's illustration, it must be owned that he kicks and plunges when yoked with "that gallant grey," but pulls single exceedingly well.

No trial of any very considerable interest occurred during the last assizes; but, in looking over my diary, I find a sketch which I made at the time of a very important case, which was tried by Judge Johnson during a preceding circuit, and which it may gratify the curiosity of the English reader to have transcribed. I allude to the prosecution of Father Carroll, the Wexford priest, who killed a child in a fit of insanity, under circumstances which greatly excited the public attention.

This unfortunate man, for he deserves no harsher appellation, had from his childhood a strong predisposition to insanity. It was with great difficulty that he succeeded in obtaining ordination. His aberrations from reason, before they amounted to actual madness, were connected with the subject of exorcism; and although every person to whom he addressed his arguments in favour of the expulsion of devils, smiled at his extravagance, they still could not help acknowledging that he argued with subtlety upon wrong premises, and confessed that his applications of various passages in the holy writings were ingenious, however mistaken. It was in vain that Father Carroll was told that the power of Satan to possess himself of human bodies ceased with the revelation of Christian truth. He appealed to the Acts of the Apostles, and to incidents subsequent to the death of our Saviour, to establish his favourite speculation. A medical man, with whom he was intimate, perceived that the subject had laid such a hold upon his naturally excitable imagination, that he resorted to sedative medicines to avert the progress of an incipient malady, to which he had an organical predisposition. As long as he followed his physician's advice, he abstained from any acts of a very extravagant nature; but unhappily, before the events took place, which formed the ground of a capital prosecution, he neglected to take his usual preventives, and became utterly deranged.

He suddenly fancied himself endowed with supernatural authority. This fantastic notion seized upon him in the midst of divine service; after the wild performance of which, he rushed into the public road that led from the chapel to his house, in search of an

object for the manifestation of his miraculous powers. He was informed that a labourer of the name of Neill was confined by illness to his bed; and being convinced that he was possessed by an evil spirit, proceed to effect the removal of his enemy. His singular demeanour attracted the attention of the passengers, who followed him to Neill's cottage; which he had no sooner entered, than he precipitated himself upon the sick man, and began his miraculous operations with marvellous vigour. A severe pommelling was the process of exorcism which he regarded as most effectual. This he put into immediate and effectual practice. Neill did not attempt to resist this athletic antagonist of the devil. The unhappy gentleman had determined to take Beelzebub by storm. After a long assault, he succeeded in this strange achievement, and having informed the astonished bystanders that he had taken the enemy prisoner, announced that he should give him no quarter, but plunge him into the Red Sea.

The manner of this aquatic ceremony was described by one of the witnesses, who endeavoured to illustrate it by his gesture. After uttering various cabalistic words, he whirled himself in a rapid rotation, with his arms outstretched, and then, suddenly pausing and raising himself into an attitude of importance befitting his new authority, advanced with one arm a-kimbo, and with the other extended, looking, as the witness expressed it, "as if he held the devil by the tail," and marched with a measured pace and a mysterious aspect to a bridge upon the river Slaney, where he buried the captive demon in what he took for the Red Sea.

Not contented with this exploit, he exclaimed that Neill had seven more devils, which he was determined

to expel from this peculiar object of diabolical predilection. The operation was accordingly repeated with such success, that Neill, after much strenuous expostulation, leaped out of his bed, and exclaimed that he was quite well. This circumstance produced a deep impression upon the crowd, amongst whom there were some Protestants; and two of the latter knelt down and called upon the Lord to assist Father Carroll in the perpetration of the next miracle, which, encouraged by their pious sympathies, he almost immediately proceeded to commit. A poor woman happened to pass along the road, whom he had no sooner observed, than he knocked her down, and pursued a mode of exorcism similar to that which I have described, with such effect, that one of the spectators cried out for the people to make way, "as he saw the devil coming out."

This achievement only served to excite the wretched maniac, and impel him to another undertaking of the same kind. He insisted "that the devil had taken possession of Sinot's child." Sinot had a child who had been affected by fits, and over whom the priest had been requested by its mother to say prayers. This was not only a natural, but I will add a reasonable application. It is not supposed by Roman Catholics that the prayers of a clergyman are endowed with any preternatural efficacy; but it is considered that praying over the sick is a pious and religious act. The recollection of this fatal request passed across the distempered mind of the madman, who hurried with an insane alacrity to Sinot's cabin. It was composed of two rooms upon the ground floor, in the smaller of which lay the little victim. It was indeed so contracted that it could not contain more than two or three persons.

The crowd who followed the priest remained outside, and were utterly unconscious of what he was about to do. The father of the child was not in the house when Father Carroll entered it, and was prevented by the pressure in the exterior room from approaching him; and for some time after the death of the child was wholly unconscious of what had taken place.

No efforts whatever were made to prevent his interference. He was produced as a witness upon the trial, and swore that it did not enter into his thoughts that Father Carroll intended to do the child the least harm. He could not, he said, even see the priest. It is not necessary to describe the manner of the infant's death. It is enough to say, that after uttering a few feeble cries, and calling upon its "mammy," every sound became extinct. The madman had placed the child under a tub, and life was extinguished. It may well be imagined that the trial of this case excited a strong sensation in the county where the rebellion had raged with its most dangerous fury, and from which it will be long before its recollections will have entirely passed away. The Protestant party, forgetting that many of their own sect had taken a partial share in the proceedings, of which they had been at all events the passive witnesses, exhibited a proud and disdainful exultation, and affected a deep scorn for the intellectual debasement of which they alleged this event to be a manifest proof; while the Catholics disclosed a festered soreness upon an incident which, they could not fail to feel, was likely to expose them to much plausible imputation.

The Court-house was crowded to the roof by persons of all classes and opinions, among whom the clergy of both churches were conspicuous. It was filled with parsons and with priests. Although there is a certain

clerical affinity between ecclesiastics of all sorts, it was not difficult, under a cloth of the same colour, to distinguish between the ministers of the two religions. An expression of sly disdain, accompanied with a joyous glitter of the eye, gleamed over the parsons' faces; while the countenances of the Catholic clergy betrayed, in the rude play of their marked and impassioned features, the bitter consciousness of unmerited humiliation.

The dress of the two clerical parties presented a singular contrast. The priests were cased in huge top-boots of dubious and murky yellow and of bespattered black: the parsons' taper limbs were inclosed in tight and sable silk, which, by compressing, disclosed their plump proportions. The nameless integuments of the popish ministers of the gospel were framed of substantial thickset, and bore evidence to the high trot of the rough-coated nags with which they had descended from the mountains; while the immaculate kerseymere of the parsons' inexpressibles indicated with what nicety they had picked their steps through all the mire of the Catholic multitude round the court. The priests' dingy waistcoats were closely fastened to their neckcloths, and looked like an armour of economy; while the parsons' exhibited the finest cambric, wrought into minute and snow-white folds. A ponderous mantle of smoking frieze hung from the shoulders of the priest; while a well-shaped jerkin brought the parson's symmetries into relief. The parson held a pinch of Prince's mixture between his lifted fingers, while the priest impelled a reiterated and ample mass of Lundifoot into his olfactory organ. The priest's cheek was ruddy with the keen air of the mountain and the glen, while the faint blush upon the parson's cheek left it a matter for conjecture,

whether it proceeded from some remnant of nature, or was the result of the delicate tincture of art. The former sat near the desk, and the latter near the bench.

Beside the Clergy of the two religions, I observed another class, whom, from their plain apparel and primitive aspect, I took for the friars of Wexford, but upon looking more closely I discovered my mistake. There was a grimness in their expression, quite foreign from the natural and easy cheerfulness of an Irish Franciscan; and in their disastrous and Calvinistic visages, their long lank hair, and the gloomy leer of mingled hatred and derision with which they surveyed the Catholics around them, I beheld the ghostly "teachers of the Word."

A pause took place before the trial was called on, which rendered expectation more intense; at length Mr. Justice Johnson directed that the prisoner should be brought forward. Every eye was turned to the dock, and the prisoner stood at the bar. His figure was tall and dignified. A large black cloak with a scarlet collar was fastened with a clasp round his neck, but not so closely as to conceal the ample chest, across which his arms were loosely and resignedly folded. His strong black hair was bound with a velvet band, to conceal the recent incisions made by the surgeon in his head. His countenance was smooth and finely chiseled; and it was observed by many that his features, which, though small, were marked, bore a miniature resemblance to Napoleon. His colour was dead and chalky, and it was impossible to perceive the least play or variety of emotion about the mouth, which continued open, and of the colour of ashes. On being called on to plead, he remained silent. The Court was about to direct an

inquiry whether he was "mute of malice," when it was seen by a glance of his eye, that he was conscious of the purport of the question; and by the directions of his counsel he pleaded Not Guilty.

During the trial, which was conducted with the most exemplary moderation by the counsel for the crown, he retained his petrified and statue-like demeanour; and although the heat was most intense, the hue of his face and lips did not undergo the slightest change. The jury found that he had committed the direful act under the influence of insanity. Judge Johnson addressed him in a very striking and pathetic manner. He seemed to me to have blood in his eye for Prince Hohenloe, whose miracles were then in vogue, and were supposed, however erroneously, to have contributed to the prisoner's infatuation. This was a mistake: he was organically insane, and was in reality as innocent as the poor child who had perished in his hands. The learned judge opened a masked battery upon Bamberg, and some of the shots reached Rome: but he should not have forgotten that there is a form for exorcism in the Protestant as well as in the Roman Catholic ritual.* The religion of England requires a further cleansing, and a new Reformation might be a judicious project.

* This is a mistake. There is no form of exorcism in the services of the Church of England as they exist at present; but it is certain that the revisers of the English ritual did not at first abolish that part of the ancient baptismal rite which contained, among other ceremonials, the signing with the cross and "the sacrament of salt," in which the form of exorcism was included. Upon further revision, however, these portions of the service disappeared. See the Prayer Book of 1549, and Palmer's *Origines Liturgicæ*, published at Oxford in 1836.

The Hohenloe miracles made a great noise in 1822–3. See the paper entitled *Exorcism of a Divine*, for some curious particulars respecting them.

THE BURNING OF THE SHEAS.

[August, 1827.]

It is by this title that the terrible crime in which so many immolators and so many victims were involved, is habitually designated; whenever a man expatiates upon the atrocities which disgrace the country, and upon the conflagrations by which its character is blackened, he refers, as to a leading illustration, to "the burning of the Sheas." I shall not readily forget the impression which was produced upon me, on my first passing near the spot in which that dreadful incident took place, when some of its details were narrated by one of my fellow-travellers, in descending the narrow defile of Glenbower. The remains of the habitation in which eighteen human beings were committed together to the flames are not visible from the road that winds at the foot of the mountain on which it was situated, but the dark and gloomy glen in which the deed was done can be pierced by the eye, when the mists that hang upon the lofty ridge do not envelope it; and it is always with awe, which is not a little assisted by the loneliness and dreariness of the scene, that a traveller turns his eyes towards that dismal valley, to which his attention is

directed by the habitual exclamation which I had never failed to hear, "There is the place where the Sheas were burned."

I had an opportunity, in consequence of having attended two trials connected with that frightful event, of learning the circumstances by which it was attended; and as in these sketches I have not only endeavoured to draw the portraits of individual barristers, but also to describe the character of their occupations as influenced by the nature of the cases in which they are engaged, an occasional account of the most important and striking of those cases falls within the scope of these essays, and at all events may not be unattended with interest to the reader.

Upon the morning of the 20th of November, 1821, the remains of the house of Patrick Shea, a respectable farmer, who held a considerable quantity of land at the foot of the mountain of Slievenamaun, exhibited an appalling spectacle. It had been consumed by fire on the preceding night, and a large concourse of people (the intelligence of the conflagration having been rapidly diffused through the neighbouring glens) assembled to look upon the ruins. Of the thatched roof which had first received the fire, a few smoking rafters were all that remained. The walls had given way, and stood gaping in rents, through which, on approaching them, the eye caught a glimpse of the dreadful effects of the devouring element. The door was burned to its hinges; and on arriving at the threshold, as awful a scene offered itself to the spectator as is recorded in the annals of terror. The bodies of sixteen human beings of both sexes lay together in a mass of corpses. The door having been closed when the flames broke out, the

inhabitants precipitated themselves towards it, and in all likelihood mutually counteracted their efforts to burst into the open air. The house being a small one, every individual in it had an opportunity of rushing towards the entrance, where they were gathered by hope, and perished in despair. Here they lay piled upon each other. Those who were uppermost were burned to the bones, while the wretches who were stretched beneath them were partially consumed.

One of the spectators, the uncle of a young woman, Catherine Mullaly, who perished in the flames, described the scene with a terrible particularity. With an expression of horror which six years had not effaced, he said, when examined as a witness, that the melted flesh ran from the heap of carcases in black streams along the floor. But terrible as this sight must have been, there was another still more appalling. The young woman, whom I have already mentioned, Catherine Mullaly, resided in the house, and had been not very long before married. She had advanced a considerable period in pregnancy, and her child, which was born in the flames in a premature labour, made the eighteenth victim. I shall never forget the answer given by her uncle at the trial, when he was asked how many had perished, he answered that there were seventeen; but if the child that was dropped (that was his phrase) in the fire was counted, the whole would make eighteen. His unfortunate niece was delivered of her offspring in the midst of the flames. She was not found among the mass of carcases at the door. There were sixteen wretches assembled there, but, on advancing farther into the house, in a corner of the room, lay the body of this unhappy young creature, and the condition in which

her child was discovered, accounted for her separation from the group of the dead. A tub of water lay on the ground beside her. In it she had placed the infant of which she had been just delivered while the fires were raging about her, in the hope of preserving it; and in preserving its limbs she had succeeded, for the body was perfect with the exception of the head, which was held above the water, and which was burned away. Near this tub she was found, with the skeleton of the arm with which she had held her child hanging over it.

It will be supposed that the whole of this spectacle excited a feeling of dismay among the spectators; but they were actuated by a variety of sentiments. Most of them had learned caution and silence, which are among the characteristics of the Irish peasantry, and, whatever were their feelings, deemed it advisable to gaze on without a comment; and there were not wanting individuals who, folding their arms, and looking on the awful retribution, whispered sternly to each other, "that William Gorman was at last revenged."

When information of this dreadful event reached Dublin, it produced, as it was natural to expect, a very great sensation. It was at first believed that "the burning of the Sheas" was the result of that confederacy, by which the peasantry had regulated the taking of lands, and that as the previous tenant, one William Gorman, had been ejected by the Sheas, against the will of the people, the house had been set on fire. But it was asked, what object could there be in destroying so many individuals who were innocent of all crime, and were mere labourers and servants in the employment of the occupying farmer. This reflection, and a wish to rescue the national character from the

disgrace of so wanton an atrocity, gradually induced a surmise that the fire had been accidental; and this conjecture was confirmed by the fact, that notwithstanding a large reward had been offered for the discovery of the incendiaries, no information was given to the Government; at length, however, the fatal truth was disclosed, and it was ascertained that the conflagration was the result of a plot executed by a considerable band of men, and that the whole population in the neighbourhood were well aware both of the project, and of its execution. The first clue to this abominable transaction was given by a woman of the name of Mary Kelly.

This female had been a person of dissolute life, and had married a servant, who, having relinquished his employment, some time after his marriage established, with the assistance of his wife, what is commonly called "a Shebeen House," in the vicinity of the Sheas, at the foot of Slievenamaun. It was a kind of mountain brothel, or rather combined the exercise of a variety of trades, which, in the subdivision of labour that takes place in towns, are generally practised apart. Her husband stated that he sold spirits without licence; provided board and lodging to any passengers who thought it expedient to take up their abode with him; and that if a young man and woman had any wish to be left alone in his hospitable and accommodating mansion at a late hour at night, he and his wife did not think it genteel to meddle with their discourse. It will be thought singular, that in so wild and desolate a district, in the midst of solitary glens and moors, such conveniences should exist; but they are not unfrequent; and one often meets these traces of civilization in parts

of the country which carry no other evidence of refinement. Mary Kelly appears to have superintended and conducted this establishment; her husband merely giving it the sanction of wedlock, and joining in the licentious conviviality which took place under his auspices. But although his wife had, upon her own admission, been of profligate habits, until time had transmuted her, by the ordinary process, from a harlot to a procuress, yet she does not appear to have been utterly devoid of all virtuous sentiment; and, indeed, the scene which she had witnessed was of such a nature as to awaken any remnant of conscience, which often, in the midst of depravity, is found to linger behind.

A peasant of the name of William Gorman, at whose trial Sergeant Blackburne conducted the prosecution, had originally held the house where the Sheas resided. He was their under-tenant, and held the lowest place in those numerous gradations of tenure into which almost every field is divided and subdivided; for the Sheas were not middle-men in the strict sense of the word, but stood themselves at a great distance from the head proprietor of the estate, although they were the immediate landlords of Gorman. The more remote the head landlord, the heavier the weight with which oppression falls on the occupier of the soil. The owner of the fee presses his lessee; the latter comes down upon the tenant who derives from him, who, in his turn, crushes his own immediate serf; and if, which often happens in this long concatenation of vassalage, there are many other interventions of estate, the occupier of the soil is in proportion made to suffer; and is, to use the expression of Lord Clare, "ground to powder," in this complicated system of exaction.

William Gorman was dealt with most severely. He was distrained, sued in the superior courts, processed by civil bill,—in short, the whole machinery of the law was put into action against him. Driven from his home, deprived of his few fields, without covert or shelter, he made an appeal to the league of peasants with whom he was associated; and as the Sheas had infringed upon their statutes, it was determined that they should die, and that an exemplary and appalling vengeance should be taken of them. I saw William Gorman at the bar of the court in which he was condemned: he heard the whole detail of the atrocities of which he had been the primary agent. He was evidently most solicitous for the preservation of life; yet the expression of anxiety which disturbed his ghastly features occasionally gave way to the exulting consciousness of his revenge; and, as he heard the narration of his own delinquencies, so far from intimating contrition or remorse, a savage joy flashed over his face; his eyes were lighted up with a fire as lurid as that which he had kindled in the habitation of his enemies; his hand, which had previously quivered, and manifested, in the irregular movement of his fingers, the workings of deep anxiety, became, for a moment, clenched; and when the groans of his victims were described, his white teeth, which were unusually prominent, were bared to the gums; and, though he had drained the cup of vengeance to the dregs, still he seemed to smack his lips, and to lick the blood with which his injuries had been redressed.

This man had the vindictive feelings of a savage; but, while his barbarities admit of no sort of extenuation, they still were not without a motive. His co-

partners in villany, however, who arranged and conducted the enterprise, had no instigation of personal vengeance towards the oppressors of William Gorman. At their head was a bold and sagacious ruffian, whose name was Maher. It was determined that their plot should be carried into execution on Monday, the 20th of November. On the preceding Saturday, Maher went to Mary Kelly's house, and retired to a recess in it, where he employed himself in melting lead, and fusing it into balls. He was supposed to be a paramour of Mary Kelly (though she strenuously denied it), and she was certainly familiar with him. She had heard, (indeed, it was known through the whole of that wild vicinage,) that it was intended to inflict summary justice upon the Sheas; and being well aware that Maher was likely to dip his hands in any bloody business which was to go on, and observing his occupation, which he did not seek to hide from her, she taxed him with his "slaughterous thoughts," and having some good instincts left, begged him not to take life away. Maher answered with equivocation. During this colloquy, Catherine Mullaly, a cousin of Mary Kelly, came into the house.

Maher was well acquainted with her, and had the rude gallantry which is common among the Irish peasantry. She resided as a servant with the Sheas. Maher believed that there were arms in the Sheas' possession, and knew that there were a number of persons living in the house, with a view to their defence. The extent, however, of their means of self-protection the murderers had not ascertained, and it was important to learn the fact, in order that they might adapt to circumstances their mode of attack. It is probable, that if there had been no weapons in the house, the con-

spirators would have burst open the door, dragged the Sheas out, and put them to death, and would have spared the more unoffending victims: but having discovered that there were fire-arms in abundance, they considered the burning of the house as a measure of self-defence, independently of the impression which a massacre upon a large scale would be likely to produce.

Maher, therefore, sought to ascertain the state of defence from Catherine Mullaly, and entered into conversation with her in the tone of mixed joke and gibe, of which the lower orders, who delight in repartee, are exceedingly fond. The young woman was pleased with his attentions; and in the innocence of her heart, not having any suspicion of his intent, gradually disclosed to him that there was a quantity of arms in the house. Maher, on her departure, put on her cloak, and bade her farewell in the tone of friendship. Mary Kelly, who knew him well, and guessed at his object, the moment Catherine Mullaly was gone (for she did not dare to speak in her presence) implored Maher, whatever he might intend, not to harm Catherine Mullaly. She extorted a promise from him to that effect, on which she relied for the moment, and they separated; Maher with his balls, and Mary Kelly with the undertaking for the life of Catherine Mullaly, in which she placed so mistaken a confidence. After some reflection, however, her alarm for the safety of her relative, to wohm she was much attached, revived, and during the next day her suspicions were increased by the notes of preparation which she observed between Maher and his confederates.

However, she did not venture to speak; for, to use her own phrase, "a word would have been as much as

her life was worth!"—still a terrible inquietude preyed upon her, and, as if actuated by some mysterious impulse, upon Monday night, when her husband, to whom she never communicated her apprehensions, was asleep, she silently rose from bed, and having huddled on his coat, left her cabin, though it was near midnight, and advanced cautiously and slowly along the hedges, until she made her way to near Maher's house. She stopped, and heard the voices of men engaged in discussion, which lasted some time; at length the door opened—she hid herself behind some brambles, and bending down, in order to avoid detection, which would have been death, she marked the murderers as they came forth. They issued from Maher's house in arms, and walked in a sort of array, advancing in file. Eight of them she knew; and, as she alleged, distinctly recognized them by their voices and looks. One of them carried two pieces of turf, lighted at the extremities, and kept the fire alive with his breath. They passed her without observation, and proceeded upon their dreadful destination. Trembling and terror-struck, but still impelled to pursue them, she followed on from hedge to hedge, until they got beyond her; and perceiving that they proceeded towards the house of the Sheas, she stopped at a spot from which the house was visible, and by which the murderers, after executing their diabolical purpose, afterwards returned.

Here she remained in terrible anticipation, and her conjecture was speedily verified. A fire suddenly appeared in the roof of Shea's house; the wind high, it rose rapidly into a flame, and the whole was speedily in a blaze. It cast around the rocky glen a frightful splendour, and furnished, in its extensive diffusion of light,

the means of beholding all that took place close to the burning cottage, in which shrieks and cries for mercy began to be heard. The murderers had secured the door; and having prevented all possibility of escape, stood in groups about the house, and gazed on the progress of the conflagration. So far from being moved to pity, they answered the invocations of their victims with yells of ferocious laughter. They set up a war-whoop of exultation, and, in token of triumph, discharged their guns and blunderbusses to celebrate their achievement. There was an occasional pause in their shouts: nothing then was heard but the crackling of the flames, that shed far and wide their desolate illumination; and the spectatress of this dreadful scene, though at some distance from it, declared that, in the temporary abatement of the wind, and the cessation of its gusts, she could at intervals hear the deep groans of the dying, and the gulps of agony with which their tortures were concluding.

But the fiends by whom these infernal fires were kindled, soon reiterated their cries of exultation, and discharged their guns again. The report of their fire-arms, which was taken up by the echoes of the mountain, produced a result which they had not anticipated. On the opposite side of a hill which adjoined the house, there resided a man of the name of Philip Dillon, who was a friend of the Sheas. Hearing the discharge of guns, and suspecting what had taken place, he summoned as many as he could gather together, and proceeded at their head across the hill, in order, if possible, to save the Sheas. They advanced towards the house, but arrived too late: neither had they courage to attack the murderers, who at once drew up before the flames

to meet them. Philip Dillon, indeed, defied them to come on, but they declined his challenge, and waited his attack, which, as his numbers were inferior, he thought it prudent not to make. Both parties stood looking at each other, and in the mean while the house continued to blaze. The groans were heard for a little time, until they grew fainter and fainter; and at length all was silent.

Although the arrival of Philip Dillon did not contribute to save any of the sufferers, still it was the means of convicting William Gorman, by affording a corroboration to the testimony of Mary Kelly. John Butler, a boy, who was in the employment of Philip Dillon, and accompanied him to the burning house, was the brother of one of the servants of the Sheas. Notwithstanding he could not give any assistance to his brother, yet his anxiety to discover the murderers induced him to approach nearer than his companions to the flames, when, by the fire which they had kindled, Butler had an opportunity of identifying William Gorman, against whom he gave his testimony, and thus sustained the evidence of Mary Kelly.

All was now over—the roof had fallen in, and the ruins of the cottage were become a sepulchre. Gorman and Maher, with their associates, left the scene of their atrocities, and returned by the same path by which they had arrived. Another eye, however, besides that of God, was upon them. They passed a second time near the place where Mary Kelly lay concealed: again she cowered at their approach; and, as they went by, had a second opportunity of identifying them. Here a circumstance took place which is, perhaps, more utterly detestable than any other which I have yet recorded.

The conversation of the murderers turned upon the doings of the night, and William Gorman amused the party by mimicking the groans of the dying, and mocking the agonies which he had inflicted.

The morning now began to break, and Mary Kelly, haggard, affrighted, and laden with the dreadful knowledge of what had taken place, returned to her home. Well aware, however, of the consequences of any disclosure, she did not utter a syllable to her husband, or to her son, upon the subject; and although examined next day before a magistrate, who conjectured, from the ill-fame of her house, that she must have had some cognizance of what had taken place, she declared herself to be innocent of all knowledge. John Butler, too, who had witnessed the death of his brother, immediately proceeded to the house of his mother, Alicia Butler, an old woman, who was produced as a witness for the crown; he awoke her from sleep, and told her that her son had been burned alive. Her maternal feelings burst into an exclamation of horror upon first hearing this dreadful intelligence; but, instead of immediately proceeding to a magistrate, she enjoined her son not to speak on the subject, lest she herself, and all her family, should suffer the same fate.

For sixteen months, no information whatever was communicated to Government. Mary Kelly was still silent, and did not dare to reproach Maher with the murder of Catherine Mullaly, for whose life she had made a stipulation. She did not even venture to look in the face of the murderer, although, when he visited at her house, which he continued to do, she could not help shuddering at his presence. Still the deeds which she had seen were inlaid and burned in dreadful colours

in her mind. The recollection of the frightful spectacle never left her. She became almost incapable of sleep; and, haunted by images of horror, used in the dead of night to rise from her bed, and wander over the lonely glen in which she had seen such sights; and although one would have supposed that she would have instinctively fled from the spot, she felt herself drawn by a kind of attraction to the ruins of Shea's habitation, where she was accustomed to remain till the morning broke, and then return wild and wan to her home. She stated, when examined in private previous to the trial in which she gave her evidence, that she was pursued by the spectre of her unfortunate kinswoman, and that whenever she lay down in her bed, she thought of the "burning," and felt as if Catherine Mullaly was lying beside her, holding her child, "as black as a coal, in her arms." At length her conscience got the better of her apprehensions, and in confession she revealed her secret to a priest, who prevailed upon her to give information, which, after a struggle, she communicated to Captain Despard, a justice of the peace for the county of Tipperary.

Such were the incidents which accompanied the perpetration of a crime, than which it is difficult to imagine one more enormous. To do the people justice, immediately after the conviction and execution of William Gorman, they appeared to feel the greatest horror at his guilt; and of that sentiment a Roman Catholic assembly, held during the assizes, afforded a strong proof. The assizes had gathered an immense concourse of the lower orders from all parts of the country, and Mr. Sheil, conceiving that a favourable opportunity had presented itself for giving a salutary admonition to the people, and believing that his advice would be fully as

likely to produce an impression as that of Mr. Sergeant Blackburne, used his influence in procuring a public meeting to be summoned. A vast multitude thronged to the place of assembly; and I am bestowing no sort of encomium upon Mr. Sheil, when I say that his speech produced a great deal of effect upon the peasantry, for the bare statement of the facts which appeared in evidence in the course of the assizes, would have been sufficient to awaken deep emotions wherever the instincts of humanity were not utterly extinguished.

As Mr. Sheil's address contained a summary of the principal cases in which Sergeant Blackburne was engaged, and he dwelt especially upon that of Matthew Hogan, which was attended by many afflicting circumstances, I shall close this article by a citation from the concluding passages of that gentleman's speech.

"The recollection," he continued, "of what I have seen and heard during the present assizes, is enough to freeze the blood. Well might Judge Burton, who is a good and tender-hearted man,—well might he say, with tears in his eyes, that he had not in the course of his judicial experience beheld so frightful a mass of enormities as the calendar presented.* How deep a stain have those misdeeds left upon the character of your county, and what efforts should not be made by every man of ordinary humanity, to arrest the progress of villany, which is rolling in a torrent of blood, and bearing down all the restraints of law, morality, and religion before it. Look, for example, at the murder of the Sheas, and tell me if there be anything in the

* The judge might well have recoiled from the duties of that terrible Assizes; there were three hundred and eighty cases on the calendar, including many detestable crimes, as well as the butchery of the Sheas.

records of horror by which that accursed deed has been excelled! The unborn child, the little innocent who had never lifted its innocent hands, or breathed the air of heaven—the little child in its mother's womb . . . . I do not wonder that the tears which flow down the cheeks of many a rude face about me should bear attestation to your horror of that detestable atrocity. But I am wrong in saying that the child who perished in the flames was not born. Its mother was delivered in the midst of the flames.

"Merciful God! Born in fire! Sent into the world in the midst of a furnace! transferred from the womb to the flames that raged round the agonies of an expiring mother! There are other mothers who hear me. This vast assembly contains women, doomed by the primeval malediction to the groans of child-birth, which cannot be suppressed on the bed of down, into which the rack of maternal agony still finds its way. But say, you who know it best, you who are of the same sex as Catherine Mullaly, what must have been the throes with which she brought forth her unfortunate offspring, and felt her infant consumed by the fires with which she was surrounded! We can but lift up our hands to the God of Justice, and ask him why has he invested us with the same forms as the demons who perpetrated that unexampled murder! And why did they commit it?—by virtue of a horrible league by which they were associated together, not only against their enemy, but against human nature and the God who made it;—for they were bound together—they were sworn in the name of their Creator, and they invoked Heaven to sanctify a deed which they were confederated to perpetrate by a sacrament of Hell.

"Although accompanied by circumstances of inferior terror, the recent assassination of Barry belongs to the same class of guilt. A body of men at the close of day enters a peaceful habitation, on the Sabbath, and regardless of the cry of a frantic woman, who, grasping one of the murderers, desired him 'to think of God, and of the blessed night, and to spare the father of her eight children"—dragged him forth, and when he 'offered to give up the ground, tilled or untilled, if they gave him his life,' answered him with a yell of ferocious irony, and telling him 'he should have ground enough,' plunged their bayonets into his heart! An awful spectacle was presented on the trial of the wretched men who were convicted of the assassination. At one extremity of the bar there stood a boy, with a blooming face and with down on his cheek, and at the other an old man in the close of life, with a wild haggard look, a deeply-furrowed countenance, and a head covered with hoary and dishevelled hair. In describing the frightful scene it is consoling to find that you share with me in the unqualified detestation which I have expressed; and, indeed, I am convinced that it is unnecessary to address to you any observation on the subject.

"But, my good friends, I must call your attention to another trial, I mean that of the Hogans, which affords a melancholy lesson. That trial was connected with the insane practice which exists amongst you, of avenging the accidental affronts offered to individuals, by enlisting whole clans in the quarrel and waging an actual war, which is carried on by sanguinary battles. I am very far from saying that the deaths which occur in these barbarous feuds are to be compared with the

guilt of preconcerted assassination, but that they are accompanied with deep criminality there can be no question; the system, too, which produces them, is as much marked with absurdity as it is deserving of condemnation. In this county, if a man chances to receive a blow, instead of going to a magistrate to swear informations, he lodges a complaint with his clan, which enters into a compact to avenge the insult—a reaction is produced, and an equally extensive confederacy is formed on the other side.

"All this results from an indisposition to resort to the law for protection; for amongst you it is a point of honour to avoid magistrates, and to reject all the ligitimate means provided for your redress. The battle fought between the Hickeys and the Hogans, in which not less than five hundred men were engaged, presents in a strong light the consequences of this most strange and preposterous system. Some of the Hickey party were slain in the field, and four of the Hogans were tried for their murder; they were found guilty of manslaughter—three of them are married and have families, and from their wives and children are condemned to separate for ever. In my mind, these unhappy men have been doomed to a fate still more disastrous than those who have perished on the scaffold. In the calamity which has befallen Matthew Hogan every man in court felt a sympathy. With the exception of his having made himself a party in the cause of his clan, he has always conducted himself with propriety. His landlord felt for him not only an interest, but a strong regard, and exerted himself to the utmost in his behalf. He never took a part in deeds of nocturnal villany. He does not bear the dagger and the torch;

honest, industrious, and of a mild and kindly nature, he enjoyed the good will of every man who was acquainted with him. His circumstances in the world were not only comparatively good, but, when taken in reference to his condition in society, were almost opulent; and he rather resembled an English yeoman than an Irish peasant.

"His appearance at the bar was in a high degree moving and impressive—tall, athletic, and even noble in his stature, with a face finely formed, and wholly free from any ferocity of expression, he attracted every eye, and excited, even among his prosecutors, a feeling of commiseration. He formed a remarkable contrast with the ordinary class of culprits who are arraigned in our public tribunals. So far from having guilt and depravity stamped upon him, the prevailing character of his countenance was indicative of gentleness and humanity. This man was convicted of manslaughter; and when he heard the sentence of transportation for life, all colour fled from his cheek, his lips became dry and ashy, his hand shook, and his eyes were the more painful to look at from their being incapable of tears.

"Most of you consider transportation a light evil, and so it is, to those who have no ties to fasten them to their country. I can well imagine that a deportation from this island, which for most of its inhabitants is a miserable one, is to many a change greatly for the better. Although it is, to a certain extent, painful to be torn from the place with which our first recollections are associated, and the Irish people have strong local attachments, and are fond of the place of their

birth, and of their fathers' graves; yet the fine sky, the genial climate, and the deep and abundant soil of New Holland, afford many compensations. But there can be none for Matthew Hogan; he is in the prime of life, was a prosperous farmer; he has a young and amiable wife, who has borne him children; but, alas!

> "Nor wife nor children more shall he behold,
> Nor friends, nor sacred home."

He must leave his country for ever—he must part from all that he loves, and from all by whom he is beloved, and his heart will burst in the separation. On Monday next he will see his family for the last time. What a victim do you behold, in that unfortunate man, of the spirit of turbulence which rages amongst you!

"Matthew Hogan will feel his misfortune with more deep intensity, because he is naturally a sensitive and susceptible man. He was proved to have saved the life of one of his antagonists in the very hottest fury of the combat, from motives of generous commiseration. One of his own kindred, in speaking to me of his fate, said, 'he would feel it the more because (to use the poor man's vernacular pronunciation) he was so *tinder*.' This unhappy sensibility will produce a more painful laceration of the heart than others would experience, when he bids his infants and their mother farewell for ever. The prison of this town will present on Monday next a very afflicting spectacle. Before he ascends the vehicle which is to convey him for transportation to Cork, he will be allowed to take leave of his family. His wife will cling with a breaking

heart to his bosom; and while her arms are folded round his neck, while she sobs in the agony of a virtuous anguish on his breast, his children, who used to climb his knees in playful emulation for his caresses, —his little orphans, for they are doomed to orphanage in their father's life-time——

"I will not go on with this distressing picture; your own emotions (for there are many fathers and husbands here) will complete it. But the sufferings of poor Hogan will not end at the threshold of his prison; he will be conveyed, in a vessel freighted with affliction, across the ocean, and will be set on the lonely and distant land, from which he will return no more. Others, who will have accompanied him, will soon forget their country, and devote themselves to those useful and active pursuits for which the colony affords a field, and which will render them happier, by making them better men. But the thoughts of home will still press upon the mind of Matthew Hogan, and adhere with a deadly tenacity to his heart. He will mope about, in the vacant heedlessness of deep and settled sorrow; he will have no incentive to exertion, for he will have bidden farewell to hope. The instruments of labour will hang idly in his hands; he will go through his task without a consciousness of what he is doing; or, if he thinks at all, while he turns up the earth, he will think of the little garden beside his native cottage, which it was more a delight than a toil to till. Thus his day will go by, and at its close his only consolation will be to stand on the sea-shore, and fixing his eyes in that direction in which he will have been taught that his country lies,—if not in the language, he will

at least exclaim in the sentiments which have been so simply and so pathetically expressed in the Song of Exile:—

"'Erin, my country! though sad and forsaken
In dreams I revisit thy sea-beaten shore;
But, alas! in a far foreign land I awaken,
And sigh for the friends that can meet me no more.
Where is my cabin door, fast by the wild wood?
Sisters and sire, did you weep for its fall?
Where is the mother that look'd on my childhood?
And where is the bosom-friend, dearer than all?'"*

* Campbell's "Exile of Erin."

FAREWELL OF LORD MANNERS.

[February, 1828.]

On the 31st day of July, in the year of our Lord 1827, Lord Manners, the late Keeper of His Majesty's Irish Conscience, bade the Irish Bar farewell. The scene which took place upon that melancholy occasion deserves to be recorded. It being understood that an address of professional condolence on behalf of the more loyal portion of the Bar was to be pronounced by that tender enunciator of pathetic sentiment, the Attorney General,* the Court of Chancery was crowded at an early hour. The members of the Beef-Steak Club, with countenances in which it was difficult to determine whether their grief at the anticipated "export" from Ireland, or the traces of their multitudinous convivialities, enjoyed a predominance, filled the galleries on either side.† The junior aristocracy of the bar, for whom the circuits have few attractions, occu-

* Mr. Joy, the subject of a previous sketch.

† The Beefsteak Club was a musical institution in Dublin, which has ceased to exist; if we should not rather say that it still lives in the improved form of the Catch Club, a society all the more harmonious and festive for the exclusion of politics from its meetings.

pied the body of the court, while the multitude of King's Counsel, in whom His Majesty scarcely finds a verification of the divine saying of Solomon, were arrayed along the benches, where it is their prerogative to sit, in the enjoyment of that leisure which the public so unfrequently disturb.

The assembly looked exceedingly dejected and blank. A competition in sorrow appeared to have been got up between the rival admirers of his Lordship, the Pharisees of Leeson Street and the Sadducees of the Beef-Steak Club.* "The Saints," however, from their habitual longitude of visage, and the natural alliance between their lugubrious devotion and despair, had a decided advantage over the statesmen of revelry and the legislators of song; and it was admitted on all hands, that Mr. M'Caskey should yield the palm of condolence to a certain pious Serjeant, into whom the whole spirit of the prophet Jeremy appeared to have been infused.

But the person most deserving of attention was Mr. Saurin. Lord Manners had been his intimate associate for twenty years. He had, upon his Lordship's first arrival in Ireland, pre-occupied his mind;—he took advantage of his opportunities of access, and, having crept like an earwig into his audience, he at last effected a complete lodgment in his mind. Mr. Saurin established a masterdom over his faculties, and gave to all his passions the direction of his own. A very close

* Leeson Street is the street mentioned in another place, as bearing the soubriquet of Swaddling-bar, in consequence of the congregation of puritanical lawyers resident in it. Bayle has remarked that there is no instance on record of an attorney being a saint; he does not extend the remark to barristers; and if he had done so, Leeson Street would have refuted the assertion.

intimacy grew up between them, which years of intercourse cemented into regard.' They were seen every day walking together to the court, with that easy lounge which indicated the carelessness and equality of friendship.*

In one instance only had Lord Manners been wanting in fidelity to his companion. He had been commissioned to inform him, (at least, he was himself six months before apprised of the intended movement,) that Mr. Plunket would, in return for his services to the Administration, be raised to the office of Attorney-General for Ireland. Had Mr. Saurin been informed of this determination, he might have acted more wisely than he did, when in a fit of what his advocates have been pleased to call magnanimity, but which was nothing else than a paroxysm of offended arrogance, he declined the Chief Justiceship of the King's Bench. Lord Wellesley took him at his word, and gave him no opportunity to retrace his steps. He would not, at all events, have been taken unawares. Mr. Saurin is not conspicuous for his tendencies to forgiveness, but he pardoned the person in whose favour, of all others, a barrister should make an exception from his vindictive habits. Their intercourse was renewed; and whatever might have been the state of their hearts, their arms continued to be linked together. This intimacy was noted by the solicitors, and although deprived of his official power, Mr. Saurin retained his business, and

* There was some spirited caricaturing in Ireland, a quarter of a century since. It has disappeared, like other arts more to be regretted. Lord Manners and Mr. Saurin were constant subjects for the comic pencil. They were commonly drawn walking together and designated the "Brothers-in-law."

the importance which attends it. The resignation, therefore, of Lord Manners, to whose court his occupations were confined, was accounted a personal misfortune to himself.

From the peculiar circumstances in which he was placed, he drew the general notice in the scene of separation, and was an object of interest to those, who, without any political sympathy or aversion, are observers of feeling, and students of the human heart. In justice to him it should be stated, that his bearing did not greatly deviate from his ordinary demeanour, and that he still looked the character which he had been for some time playing, if not with profit, yet not without applause, as the stoic of Orangeism, and the Cato of "a falling state." Not that he appeared altogether insensible, but, in his sympathies, his own calamities did not seem to have any very ostensible share:—any expression of a melancholy kind, that was perceivable through his dark and Huguenot complexion, seemed to arise more immediately from the pains of friendship, than from any sentiment in more direct connexion with himself.

I cannot avoid thinking, however, that his mind must have been full of scorpion recollections: there was, at least, one incident which must have deeply stung him. Had the address to Lord Manners been pronounced by Mr. Plunket, Mr. Saurin might have been reconciled to the representation of the bar, in the person of a man, who had long approved himself his superior. But to see his own proselyte holding the place to which he had acquired a sort of prescriptive right, and to witness in Henry Joy the Attorney-General to a Whig Administration, while he was him-

self without distinction or office, was, I am sure, a source of corrosive feeling, and must have pained him to the core. It would, however, have been a misfortune for the lovers of ridicule, if any man, except Mr. Joy, had pronounced the address, which was delivered to the departing Chancellor. He is a great master of mockery, and looks a realization of Goethe's Mephistophiles. So strong is his addiction to that species of satire, which is contained in exaggerated praise, that he scarcely ever resorts to any other species of vituperation.

Nature has been singularly favourable to him. His short and upturned nose is admirably calculated to toss his sarcasms off:—his piercing and peering eyes gleam and flash in the voluptuousness of malice, and exhibit the keen delight with which he revels in ridicule and luxuriates in derision. His chin is protruded, like that of the Cynic listening to St. Paul, in Raphael's Cartoon: his muscles are full of flexibility, and are capable of adapting themselves to every modification of irony. They have the advantage, too, of being covered with a skin that dimples into sneers with a plastic facility, and looks like a manuscript of Juvenal found in the ashy libraries of Herculaneum. In this eminent advocate such an assemblage of physiognomical qualifications for irony are united, as I scarcely think the countenance of any orator in the ancient city of Sardos could have presented.* His face was an admirable commentary

* Where did Mr. Shiel find this ancient city? Σαρδώ was the Greek name of the island of Sardinia, to which it has been the fashion of grammarians and lexicographers to trace the origin of the phrase "risus Sardonicus." As it is a favourite phrase with Mr. Shiel, and frequently occurs in these papers, we shall quote what Dr. Smith says on the

on the enormity of the encomium which he was deputed to offer. The "Evening Mail," indeed, the official organ of the Orange party in Ireland, gave a somewhat different account of this amusing exhibition. "Every sound," said that graphic journalist, "was hushed, while the Attorney-General, with a tremulous voice, but with a feeling and emphasis which showed that the sentiments expressed came directly from his heart——" and so forth.

Then follows the address. I forbear from setting forth the whole of it, but select a single sentence:—"We," said Mr. Joy, "cannot but admire that distinguished ability, that strict impartiality, and that unremitting assiduity, with which you have discharged the various duties of your office." The delivery of this sentence was a masterpiece of sarcastic recitation; and, to any person who desired to become a proficient in the art of sneering, of which Mr. Joy is so renowned a professor, afforded an invaluable model. Cicero, in his oratorical treatise, has given an analysis of the manner in which certain fine fragments of eloquence have been delivered; and, for the benefit of the students of irony, it may not be improper to enter with some minuteness into a detail of the varieties of excellence with which Mr. Joy pro-

subject. "Among the products of the island one of the most celebrated was the Sardonica herba, a poisonous plant, said to produce fatal convulsions in the person who ate of it. These convulsions agitated and distorted the mouth, so that the person appeared to laugh; hence the *risus Sardonicus.* No plant possessing these properties is found at present in Sardinia, and it is not impossible that the whole tale may have arisen from a piece of bad etymology, since we find mention in Homer (the Odyssey) of the Σαρδάνιος γέλως, which cannot have any reference to Sardinia, but is probably connected with the verb σαιρειν, to grin."—Dr. Smith's *Classical Dictionary,* art. *Sardinia.*

nounced this panegyric. With this view, I shall take each limb of the sentence apart.—"We cannot but admire:"—In uttering these words, he gave his head that slight shake, with which he generally announces that he is about to let loose some formidable sarcasm. He paused at the same time, as if he felt a qualm of conscience at what he was about to speak, and experienced a momentary commiseration for the victim of his cruel commendations.

This feeling of compassion, however, only lasted for an instant, and he assumed the aspect that became the utterance of the vituperative adulation which he had undertaken to inflict. "We cannot but admire the distinguished ability:"—At the word "ability" it was easy to perceive, that he could with difficulty restrain his sense of extravagance from breaking into laughter. However, he did succeed in keeping down the spirit of ridicule within the just boundaries of derision. At the same time he conveyed to his auditors (the Chancellor excepted) the whole train of thought that was passing in his mind; and by the magic of his countenance recalled a series of amusing recollections. It was impossible to look at him without remembering the exhibitions which for twenty years had made the administration of justice in the Irish Court of Chancery the subject of Lord Redesdale's laughter, and of John Lord Eldon's tears. He spoke it with such a force of mockery, that he at once brought to the mind of the spectators that spirit of ignorant self-sufficiency, and presumptuous precipitation, with which Lord Manners discharged the business of his court.

A hundred cases seemed to rise in his face. "Stack-

poole and Stackpoole" appeared in the curl of his lip; "Blake and Foster" quivered in the movement of his nostrils; "Brossley against the Corporation of Dublin" appeared in his twinkling eyes; and "reversal" seemed to be written in large characters between his brows.— The next sarcasm which this unmerciful adulator proceeded to apply, turned on his lordship's selection of magistrates. At the utterance of "strict impartiality," the smile of Mr. Joy gleamed with a still yellower lustre over his features, and he threw his countenance into so expressive a grimace, that the whole loyal but pauper magistracy of Ireland was brought at once to my view. I beheld a long array of insolvent justices with their arms out at the elbows, who had been honoured, by virtue of their Protestantism, with His Majesty's commission of the peace. I did not think it possible for the powers of irony to go beyond this last achievement of the Attorney-General, until he came to talk of his lordship's unremitting assiduity. It was well known to every man at the bar, that Lord Manners abhorred his occupations. He trembled at an enthymem, he sunk under a sorites, and was gored by the horns of a dilemma. His irritability in court was the subject of universal complaint. He seemed to labour under an incapacity of fixing his attention for any continuity of time to any given matter of meditation; and by his wriggling in his seat during the admirable arguments of Mr. Pennefather, and his averted eye, and the puffing of his cheeks, exhibited his strong distaste for reasoning, and the horror which he entertained for all inductive thought.

It was in frosty weather that his excitability and fret-

fulness of temperament were particularly conspicuous. He was fond of shooting, and if he was detained by a long argument beyond the usual period which he allowed to the hearing of causes, about Christmas, he broke out into fits and starts of ludicrous irritation. Mr. Plunket used to say that whenever Lord Manners heard the name of Mr. Hitchcock, (a gentleman of the Irish Bar of considerable talents,) his Lordship used to start, as if it were "Hish! Cock!" that had struck his ear. The memory of the Attorney-General, in complimenting him on his "unremitting assiduity," was, I am sure, carried back to those scenes of judicial impatience, in which, when the mercury stood at the freezing-point, his lordship's intolerance of all argument was exemplified. The look with which Mr. Joy executed the recitation of this portion of his address, was, if possible, a higher feat. It was the chef-d'œuvre of mockery, and masterpiece of derision. His eyes, his brows, his nose and chin—but I will not undertake to describe him—enough to say, that such was the potency of his sarcasm, that I was transported in fancy to the Duke of Leinster's demesne at Carton, where his lordship used to shoot, and I beheld him amidst those brambles of which he was much fonder than the thorny quicksets of the law, with his Chancellor hat, a green jacket, a scarlet waistcoat, silk breeches, and long black gaiters, which constituted his usual sporting attire.*

* The hat Lord Manners commonly wore had a strong likeness to that of a great dignitary of the Church. As part of a sporting costume, it must have been grotesque, and suggestive of irreverent ideas. His Lordship's successors in the Chancellorship have not thought fit to adopt his hat.

I was, however, recalled from this excursion of the imagination, by the farewell address of his lordship to the Bar. The Attorney-General had concluded, and Lord Manners rose to bid it a long adieu. It did him great credit that he did not follow the example of Lord Redesdale, who wept and whimpered upon his taking leave of Ireland and ten thousand a year. Lord Manners had the materials of consolation in his pocket, having received about two hundred thousand pounds of the public money, for "the distinguished ability, the strict impartiality, and unremitting assiduity," of which Mr. Joy had performed the panegyric. So far from indulging in any lachrymatory mood, his lordship proved himself a partisan to the last, by giving vent to his factious antipathies against the Solicitor-General. He had strenuously resisted the nomination of Mr. Doherty to the office, for which his talents as a speaker, both in parliament and at the bar, had eminently qualified him. There was not an individual of the profession who did not feel convinced that Lord Manners was actuated by an hostility arising from political motives, founded upon Mr. Doherty's support of Catholic Emancipation. Nearly the last sentence in his address is copied from the "Evening Mail." "If," said his lordship, "I have disappointed or delayed the expectations of any gentleman at the bar, I lament it. I can assure you, gentlemen, I have not been actuated by a personal motive, or hostile feeling against him, but by a sense of duty imposed on me, in the situation in which I am placed, to protect the fair claims of the bar, by resisting, to the utmost of my power, the interference of parliamentary or political interest in the advancements in the law.

It is obvious that under the veil of affected regret which Lord Manners states himself to have felt at having, with a view to the promotion of Sergeant Lefroy, opposed the wishes of Mr. Canning and the directions of the Cabinet, there lurks in the intimation that his lordship had opposed the interference of parliamentary and political interest, a reflection upon Mr. Doherty, of which good feeling, as well as a sense of justice, should have forbidden the expression. This Parthian arrow should not have been discharged at such a moment. It was not a time for the indulgence of acrimonious feelings.

But independently of the rancour which is conveyed in this reference to Mr. Doherty, it is surprising that such a want of ordinary discretion should have been manifested by an individual who was himself so obnoxious to the unkind observation with which, at parting, he wantonly aspersed the advancement of a member of the bar. Lord Manners had objected to Mr. Doherty upon the ground of his juniority. He was not himself of as long standing at the English Bar when he was created Solicitor-General. Mr. Doherty was at the head of his circuit, where he had evinced as high qualifications as a speaker as any gentleman in the whole profession. Lord Manners was unemployed at the bar, except when he got a brief from his brother-in-law, a solicitor of Lincoln's Inn. Lord Manners' objection to the exercise of parliamentary or political interest, seems to be equally strange. What but the power of the house of Rutland could ever have raised a man of his feeble understanding and slight acquirements, to the office of Lord Chancellor of Ireland, to

the discharge of whose duties he was so utterly incompetent, that his able and erudite successor can scarcely refrain from expressing astonishment at the spirit of blunder in which almost every one of Lord Manners' orders, which came before him for revision, is conceived?*

* Lord Manners was succeeded by Sir Anthony Hart, who gave great satisfaction both to the bar and the public during his short chancellorship.

THE MURDER OF HOLY CROSS.

[JULY, 1828.]

THE delineation of the leading members of the Irish Bar is not the only object of these sketches. It is my purpose to describe the striking scenes, and to record the remarkable incidents which fall within my own forensic observation. That these incidents and scenes should take place in our courts of justice, affords a sufficient justification for making the "Sketches of the Irish Bar" the medium of their narration. I might also suggest, that the character of the Bar itself is more or less influenced by the nature of the business in which it is engaged. The mind of any man who habitually attends the assizes of Clonmel carries deep, and not perhaps the least useful, impressions away from it. How often have I reproached myself with having joined in the boisterous merriment which either the jests of counsel, or the droll perjuries of the witnesses, have produced during the trial of a capital offence? How often have I seen the bench, the jury, the bar, and the gal-

leries of an Irish court of justice, in a roar of tumultuous laughter, while I beheld in the dock the wild and haggard face of a wretch who, placed on the verge of eternity, seemed to be surveying the gulf on the brink of which he stood, and presented, in his ghastly aspect and motionless demeanour, a reproof of the spirit of hilarity with which he was to be sent before his God!

It is not that there is any kind of cruelty intermixed with this tendency to mirth; but that the perpetual recurrence of incidents of the most awful character divests them of the power of producing effect, and that they

> "Whose fall of hair
> Would at a dismal treatise rouse and stir
> As life were in't,"

acquire such a familiarity with direness, that they become not only insensible to the dreadful nature of the spectacles which are presented, but scarcely constious of them. But it is not merely because the Bar itself is under the operation of the incidents which furnish the materials of their professional occupation, that I have selected the last assizes of Clonmel as the subject of this article. In narrating the events which attended the murder of Daniel Mara, and the trial of his assassins, I propose to myself the useful end of fixing the general attention upon a state of things, which ought to lead all wise and good men to the consideration of the only effectual means by which the evils which result from the moral condition of the country may be remedied.

In the month of April, 1827, a gentleman of the name of Chadwick was murdered in open day, at a place called Rath Cannon, in the immediate vicinity of

the old Abbey of Holycross. Mr. Chadwick was the member of an influential family, and was employed as land agent in collecting their rents. The person who fills this office in England is called a steward; but in Ireland it is designated by the more honourable name of a land agency. The discharge of the duties of this situation must be always more or less obnoxious. In times of public distress, the landlord, who is himself urged by his own creditors, urges his agent on, and the latter inflicts upon the tenants the necessities of his employer. I have heard that Mr. Chadwick was not peculiarly rigorous in the exaction of rent, but he was singularly injudicious in his demeanour towards the lower orders. He believed that they detested him; and possessing personal courage, bade them defiance. He was not a man of a bad heart; but was despotic and contumelious in his manners to those whose hatred he returned with contempt. It is said that he used to stand amongst a body of the peasantry, and, observing that his corpulency was on the increase, was accustomed to exclaim, "I think I am fattening upon your curses!"

In answer to these taunts, the peasants who surrounded him, and who were well habituated to the concealment of their fierce and terrible passions, affected to laugh, and said "that his honour was mighty pleasant; and sure, his honour, God bless him, was always fond of his joke!" But while they indulged in the sycophancy under which they are wont to smother their sanguinary detestations, they were lying in wait for the occasion of revenge. Perhaps, however, they would not have proceeded to the extremities to which they had recourse, but for a determination evinced by Mr.

Chadwick to take effectual means for keeping them in awe. He set about building a police barrack at Rath Cannon. It was resolved that Mr. Chadwick should die. This decision was not the result of individual vengeance. The wide confederacy into which the lower orders are organised in Tipperary held council upon him, and the village Areopagus pronounced his sentence.

It remained to find an executioner. Patrick Grace, who was almost a boy, but was distinguished by various feats of guilty courage, offered himself as a volunteer in what was regarded by him as an honourable cause. He had set up in the county as a sort of knight-errant against landlords; and, in the spirit of a barbarous chivalry, proffered his gratuitous services wherever what he conceived to be a wrong was to be redressed. He proceeded to Rath Cannon; and without adopting any sort of precaution, and while the public road was traversed by numerous passengers, in the broad daylight, and just beside the barrack, in the construction of which Mr. Chadwick was engaged, shot that unfortunate gentleman, who fell instantly dead.

This dreadful crime produced a great sensation, not only in the county where it was perpetrated, but through the whole of Ireland. When it was announced in Dublin, it created a sort of dismay, as it evinced the spirit of atrocious intrepidity to which the peasantry had been roused. It was justly accounted, by those who looked upon this savage assassination with most horror, as furnishing evidence of the moral condition of the people, and as intimating the consequences which might be anticipated from the ferocity of the peasantry, if ever they should be let loose. Patrick

Grace calculated on impunity; but his confidence in the power and terrors of the confederacy with which he was associated was mistaken. A brave, and a religious man, whose name was Philip Mara, was present at the murder. He was standing beside his employer, Mr. Chadwick, and saw Grace put him deliberately to death. Grace was well aware that Mara had seen him, but did not believe that he would dare to give evidence against him. It is probable, too, that he conjectured that Mara coincided with him in his ethics of assassination, and applauded the proceeding. Mara, however, who was a moral and virtuous man, was horror-struck by what he had beheld; and under the influence of conscientious feelings, gave immediate information to a magistrate. Patrick Grace was arrested, and tried at the Summer Assizes of 1827.

I was not present at his trial, but have heard from good authority that he displayed a fearless demeanour; and that when he was convicted upon the evidence of Philip Mara, he declared that before a year should go by he should have vengeance in the grave. He was ordered to be executed near the spot where his misdeed had been perpetrated. This was a signal mistake, and produced an effect exactly the reverse of what was contemplated. The lower orders looked upon him as a martyr; and his deportment, personal beauty, and undaunted courage, rendered him an object of deep interest and sympathy upon the scaffold. He was attended by a body of troops to the old Abbey of Holycross, where not less that fifteen thousand people assembled to behold him.

The site of the execution rendered the spectacle a most striking one. The Abbey of Holycross is the

finest and most venerable monastic ruin in Ireland. Most travellers turn from their way to survey it, and leave it with a deep impression of its solemnity and grandeur. A vast multitude was assembled round the the scaffold. The prisoner was brought forward in the midst of the profound silence of the people. He ascended and surveyed them; and looked upon the ruins of the edifice which had once been dedicated to the worship of his religion, and to the sepulchres of the dead which were strewed among its aisles, and had been for ages as he was in a few minutes about to be. It was not known whether he would call for vengeance from his survivors, or for mercy from heaven. His kindred, his close friends, his early companions, all that he loved and all to whom he was dear, were around him, and nothing, except an universal sob from his female relatives, disturbed the awful taciturnity that prevailed. At the side of Patrick Grace stood the priest—the mild admonitor of the heart, the soother of affliction, and the preceptor of forgiveness, who attended him in the last office of humanity, and who proved by the result how well he had performed it. To the disappointment of the people, Patrick Grace expressed himself profoundly contrite; and, although he evinced no fear of death, at the instance of the Roman Catholic clergyman who attended him, implored the people to take warning by his example. In a few moments after he left existence. But the effect of his execution will be estimated by this remarkable incident. His gloves were handed by one of his relations to an old man of the name of John Russel, as a keepsake. Russel drew them on, and declared at the same time, that he should wear them "till Paddy Grace was revenged:" and

revenged he soon afterwards was, within the time which he had himself prescribed for retribution, and in a manner which is as much calculated to excite astonishment at the strangeness, as detestation for the atrocity of the crime, of which I proceed to narrate the details.

Philip Mara was removed by Government from the country. It was perfectly obvious, that if he had continued to sojourn in Tipperary, his life would have been taken speedily, and at all hazards, away. It was decided that all his kindred should be exterminated. He had three brothers; and the bare consanguinity with a traitor (for his crime was treason) was regarded as a sufficient offence to justify their immolation. If they could not procure his own blood for the purposes of sacrifice, it was however something to make libation of that which flowed from the same source.

The crimes of the Irish are derived from the same origin as their virtues. They have powerful domestic attachments. Their love and devotion to their kindred instruct them in the worst expedients of atrocity. Knowing the affection which Mara had for his brothers, they found the way to his heart in the kindest instincts of humanity; and from the consciousness of the pain which the murder of "his mother's children" would inflict, determined that he should endure it. It must be owned, that there is a dreadful policy in this system. The Government may withdraw their witnesses from the country and afford them protection; but their wives, their offspring, their parents, their brothers, sisters, nay their remotest relatives, cannot be secure, and the vengeance of the ferocious peasantry, if defrauded of its more immediate and natural objects, will satiate itself with some other victim. It was in conformity

with these atrocious principles of revenge that the murder of the brothers of Philip Mara was resolved upon.

Strange to tell, the whole body of the peasantry in the neighbourhood of Rath Cannon, and far beyond it, entered into a league, for the perpetration of this abominable crime; and while the individuals who were marked out for massacre were unconscious of what was going forward, scarcely a man, woman, or child looked them in the face, who did not know that they were marked out for death. They were masons by trade, and were employed in building the barrack at Rath Cannon, on the spot where Chadwick had been assassinated, and where the funeral of Patrick Grace (for so his execution was called) had been performed. The peasantry looked in all probability with an evil eye upon every man who had put his hand to this obnoxious work; but their main object was the extermination of Philip Mara's brothers. They were three in number—Daniel, Laurence, and Timothy. On the first of October they were at work, with an apprentice in the mason trade, at the barrack at Rath Cannon. The name of this apprentice was Hickey. In the evening, about five o'clock, they left off their work, and were returning homewards, when eight men with arms rushed upon them. They were fired at, but the fire-arms of the assassins were in such bad condition, that the discharge of their rude musketry had no effect.

Laurence, Timothy, and the apprentice, fled in different directions and escaped. Daniel Mara lost his presence of mind, and instead of taking the same route as the others, ran into the house of a poor widow. He was pursued by the murderers, one of whom got in by

a small window, while the others burst through the door, and with circumstances of great savageness put him to death. The intelligence of this event produced a still greater sensation than the murder of Chadwick; and was as much the subject of comment as some great political incident, fraught with national consequences, in the metropolis. The Government lost no time in issuing proclamations, offering a reward of 2000*l.* for information which should bring the assassins to justice. The magnitude of the sum induced a hope that its temptation would be found irresistible to poverty and destitution so great as that which prevails among the class of ordinary malefactors. It was well known that hundreds had cognizance of the offence; and it was concluded that, amongst so numerous a body, the tender of so large a reward could not fail to offer an effectual allurement. Weeks, however, passed over without the communication of intelligence of any kind. Several persons were arrested on suspicion, but were afterwards discharged, as no more than conjecture could be adduced against them.

Mr. Doherty, the Solicitor General, proceeded to the county of Tipperary, in order to investigate the transaction, but for a considerable time all his scrutiny was without avail. At length, however, an individual, of the name of Thomas Fitzgerald, was committed to gaol upon a charge of highway robbery, and in order to save his life, furnished evidence upon which the Government was enabled to pierce into the mysteries of delinquency. The moment Fitzgerald unsealed his lips, a numerous horde of malefactors were taken up, and farther revealments were made under the influence which the love of

life, and not of money, exercised over their minds. The assizes came on, and on Monday, the 31st of March, Patrick Lacy and John Walsh were placed at the bar, and to the indictment for the murder of Daniel Mara pleaded Not Guilty.

The Court presented a very imposing spectacle. The whole body of the gentry of Tipperary were assembled in order to witness a trial, on which the security of life and property was to depend. The box which is devoted to the Grand Jury was thronged with the aristocracy of the county, who manifested an anxiety far stronger than the trial of an ordinary culprit is accustomed to produce. An immense crowd of the peasantry was gathered round the dock. All appeared to feel a deep interest in what was to take place, but it was easy to perceive in the diversity of solicitude which was expressed upon their faces, the degrees of sympathy which connected them with the prisoners at the bar. The more immediate kindred of the malefactors were distinguishable by their profound but still emotion from those who were engaged in the same extensive organization, and were actuated by a selfish sense that their personal interests were at stake, without having their more tender affections involved in the result.

But besides the relatives and confederates of the prisoners, there was a third class amongst the spectators, in which another shade of sympathy was observable. These were the mass of the peasantry, who had no direct concern with the transaction, but whose principles and habits made them well-wishers to the men who had put their lives in peril for what was regarded as the common cause. Through the crowd were dis-

persed a number of policemen, whose green regimentals, high caps, and glittering bayonets, made them conspicuous, and brought them into contrast with the peasants, by whom they were surrounded. On the table stood the governor of the gaol, with his ponderous keys, which designated his office, and presented to the mind associations which aided the effect of the scene. Mr. Justice Moore appeared in his red robes lined with black, and intimated by his aspect that he anticipated the discharge of a dreadful duty.* Beside him was placed the Earl of Kingston, who had come from the neighbouring county of Cork to witness the trial, and whose great possessions gave him a peculiar concern in tracing to their sources the disturbances, which had already a formidable character, and intimated still more terrible results. His dark and massive countenance, with a shaggy and wild profusion of hair, his bold imperious lip, and large and deeply set eye, and his huge and vigorous frame, rendered him a remarkable object, without reference to his high rank and station, and to the political part which he had played in circumstances

* The late Mr. Arthur Moore, one of the puisne Judges of the Common Pleas, and formerly an active member of the Irish Parliament, where he stood beside Plunket, Bushe, and the other leading talents of the Irish Bar, in opposition to the Union. In the remarkable scene which took place during the debate on the 5th February, 1800, when Mr. Grattan, who had just been returned for the borough of Wicklow, reappeared in the house, for the first time after his secession, Mr. Moore bore a part to which, with a justifiable vanity, he was fond of referring in the latter part of his life. Mr. Grattan is described in the memorials of the period, as entering the house at a late hour, introduced by the Rt. Hon. W. B. Ponsonby and Mr. Arthur Moore. He was not eminent as a lawyer, but he was liberal in his opinions, and a man of the most amiable character and gentle manners. He retired from the Bench, in 1839, when he was made a Privy Councillor.

of which it is not impossible that he may witness, although he should desire to avert, the return.*

The prisoners at the bar stood composed and firm. Lacy, the youngest, was dressed with extreme care and neatness. He was a tall handsome young man, with a soft and healthful colour, and a bright and tranquil eye. I was struck by the unusal whiteness of his hands, which were loosely attached to each other. Walsh, his fellow prisoner and his brother in crime, was a stout, short, and square-built man, with a sturdy look, in which there was more fierceness than in Lacy's countenance; yet the latter was a far more guilty malefactor, and had been engaged in numerous achievements of the same kind, whereas Walsh bore an excellent reputation, and obtained from his landlord, Mr. Creagh, the highest testimony to his character.

The Solicitor-General, Mr. Doherty, rose to state the case. He appeared more deeply impressed than I have ever seen any public officer, with the responsibility which had devolved upon him; and by his solemn and emphatic manner rendered a narration, which was pregnant with awful facts, so impressive, that during a speech of several hours' continuance he kept attention upon the watch, and scarcely a noise was heard, except when some piece of evidence was announced which surprised the prisoners, and made them give a slight start, in which their astonishment and alarm at the extent of the information of the Government were expressed.†

* The Earl took a violent part on the side of the Government during the Rebellion of 1798.

† The speech of Mr. Doherty was highly eloquent. He took occasion to describe the general condition of the country in language equally simple, powerful, and true. To the causes of that condition he did not advert, for it did not fall within his official province to do so; but he

They preserved their composure while Mr. Doherty was detailing the evidence of Fitzgerald, for they well knew that he had become what is technically called "a stag," and turned informer. Neither were they greatly moved at learning that another traitor, of the name of Ryan, was to be produced, for rumours had gone abroad that he was to corroborate Fitzgerald. They were well aware that the jury would require more evidence than the coincidence of swearing between two accomplices could supply. It is indeed, held that one accomplice can sustain another for the purposes of conviction, and that their concurrence is sufficient to warrant a verdict of guilty; still juries are in the habit of demanding some better foundation for their findings, and, before they take life away, exact a confirmation from some pure and unquestionable source.

The Counsel for the prisoners participated with them

has since, in the House of Commons, pointed out what he conceived to be the real source of these deplorable evils. I regret that Mr. Doherty did not take the pains to publish his speeches at Clonmel. Justice has not been done to the diction in the newspapers in which they were reported. The publication of those speeches in an authentic form would not only evince the talents of the able advocate by whom they were delivered, but would also have the effect of showing, in a striking view, the unfairness of not allowing the counsel for the prisoners to speak, while the Crown enlists all the power of rhetoric against them. The fault is not with Mr. Doherty, but in the system. "Aperi os tuum muto, et vindica inopem," is written in golden letters in the Court. The law, instead of vindicating the poor man, shuts his counsel's mouth. I have seen many cases where a powerful speech might have saved a prisoner's life. A good appeal to the jury would have preserved two of the men who were convicted of the murder of Barry at Clonmel. It is said that judges would not have time to go through the trials if Counsel for the prisoners were allowed to speak. In other words, they would be delayed from their vacation villas upon circuit.—What an excuse!—A.

in the belief that the Crown would not be able to produce any witnesses except accomplices, and listened, therefore, to the details of the murder of Daniel Mara, however minute, without much apprehension for their clients, until Mr. Doherty, turning towards the dock, and lifting up and shaking his hand, pronounced the name of "Kate Costello."

It smote the prisoners with dismay. At the time, however, that Mr. Doherty made this announcement, he was himself uncertain, I believe, whether Kate Costello would consent to give the necessary evidence; and there was reason to calculate upon her reluctance to make any disclosure by which the lives of "her people," as the lower orders call their kindred, should be affected. The statement of Mr. Doherty, which was afterwards fully made out in proof, showed that a wide conspiracy had been framed, in order to murder Philip Mara's brothers. Fitzgerald and Lacy, who did not reside in the neighbourhood of Rath Cannon, were sent for by the relatives of Patrick Grace, as it was well known that they were ready for the undertaking of "the job." They received their instructions, and were joined by other assassins. The band proceeded to Rath Cannon, in order to execute their purpose, but accident prevented their victims from coming to the place where they were expected; and the assassination was, in consequence, adjourned for another week. In the interval, however, they did not relent, but on the contrary, a new supply of murderers was collected, and on Sunday, the 30th of September, the day preceding the murder, they met again in the house of a farmer, of the name of Jack Keogh, who lived beside the

barrack where the Maras were at work. Here they were attended by Kate Costello, the fatal witness, by whom their destiny was to be sealed.

In the morning of Monday, the 1st of October, they proceeded to an elevation called "The Grove," a hill covered with trees, in which arms had been deposited. This hill overlooked the barrack where the Maras were at work. A party of conspirators joined the chief assassins on this spot, and Kate Costello, a servant and near relative of the Keoghs (who were engaged in the murder) again attended them. She brought them food and spirits. From this ambush they remained watching their prey until five o'clock in the afternoon, when it was announced that the Maras were coming down from the scaffolding on which they were raising the barrack. It appeared that some of the murderers did not know the persons whose lives they were to take away, and that their dress was mentioned as the means of recognition. They advanced to the number of eight, and as I have already intimated, succeeded in slaying one only of the three brothers.

But the most illustrative incident in the whole transaction was not what took place at the murder, but a circumstance which immediately succeeded it. The assassins, with their hands red with the gore of man, proceeded to the house of a farmer in good circumstances, whose name was John Russel. He was a man of a decent aspect and demeanour, above the lower class of peasants in station and habits, was not destitute of education, spoke and reasoned well, and was accounted very orderly and well conducted. One would suppose that he would have closed his doors against the wretches who were still reeking with their crime. He

gave them welcome, tendered them his hospitality, and provided them with food. In the room where they were received by this hoary delinquent, there were two individuals of a very different character and aspect from each other. The one was a girl, Mary Russel, the daughter of old Jack Russel, the proprietor of the house. She was young, and of an exceedingly interesting appearance. Her manners were greatly superior to persons of her class, and she was delicate and gentle in her habitual conduct and demeanour. Near her there sat an old woman, in the most advanced stage of life, who was a kind of Elspeth amongst them, and from her age and relationship was an object of respect and regard. The moment the assassins entered, Mary Russel rushed up to them, and with a vehement earnestness exclaimed, "Did you do any good?"

They stated in reply that one of the Maras was shot; when Peg Russel (the withered hag) who sat moping in the reverie of old age, till her attention was aroused by the sanguinary intelligence, lifted her shrivelled hand, and cried out with a shrill and vehement bitterness, "You might as well not have killed any, since you did not kill them all." Strange and dreadful condition of Ireland! The witness to a murder denounces it. He flies the country. His brothers, for his crime, are doomed to die. The whole population confederate in their death. For weeks the conspiracy is planned, and no relenting spirit interposes in their slaughterous deliberations. The appointed day arrives, and the murder of an innocent man is effected, while the light is still shining, and with the eye of man, which is as little feared as that of God, upon them. The murderers leave the spot where their fellow-creature lies weltering;

and instead of being regarded as objects of execration and of horror, are chid by women for their remissness in the work of death, and for the scantiness of the blood which they had poured out. Thus it is that in this unfortunate country not only men are made barbarous, but women are unsexed, and filled

> "———— From the crown to the toe, top-full
> Of direst cruelty."

These were the facts which Mr. Doherty stated, and they were established by the evidence. The first witness was Fitzgerald. When he was called, he did not appear on the instant, for he was kept in a room adjoining the Court in order that he might not avail himself of the statement and fit his evidence to it. His testimony was of such importance, and it was known that so much depended upon it that his arrival was waited for with strong expectation; and in the interval before his appearance on the table, the mind had leisure to form some conjectural picture of what he in all likelihood was. I imagined that he must be some fierce-looking, savage wretch, with baseness and perfidy, intermingled with atrocity, in his brow, and whose meanness would bespeak the informer, as his ferocity would proclaim the assassin. I was deceived.

His coming was announced,—way was made for him—and I saw leap upon the table, with an air of easy indifference and manly familiarity, a tall athletic young man, about two or three and twenty, with a countenance as intelligent in expression and symmetrical in feature, as his limbs were vigorous and well-proportioned. His head was perfectly shaped, and surmounted a neck of singular strength and breadth, which lay open and rose out of a chest of unusual massiveness and dilation. His

eyes were of deep and brilliant black, full of fire and energy, intermixed with an expression of slyness and sagacity. They had a peculiarly watchful look, and indicated a vehemence of character, checked and tempered by a cautious and observant spirit. The nose was well formed and deeply rooted, but rose at the end with some suddenness, which took off from the dignity of the countenance, but displayed considerable breadth about the nostrils, which were made to breathe fierceness and disdain. The mouth of the villain (for he was one of the first magnitude) was composed of thick but well-shaped lips, in which firmness and intrepidity were strongly marked; and when opened, disclosed a range of teeth of the finest form and colour. His hair was short and thick, but his cheek was so fresh and fair, that he scarcely seemed to have had any beard. The fellow's dress was calculated to set off his figure. It left his breast almost bare, and the knees of his breeches being open, a great part of his muscular legs appeared without covering, as his stockings did not reach to the knee.

He was placed upon the chair appropriated to witnesses, and turned at once to the Counsel for the Crown in order to narrate his own doings as well as those of his associates in depravity. I have never seen a cooler, more precise, methodical, and consistent witness. He detailed to the minutest point every circumstance which had happened during a month's time, with a wonderful accuracy. So far from manifesting any anxiety to conceal or to excuse his own guilt, he on the contrary set it forth in the blackest colours. He made himself a prominent actor in the business of blood. The life which he led was as singular as it was atrocious. He spent his

time in committing outrages at night, and during the day in exacting homage from the peasantry, whom he had inspired with a deep dread of him. He walked through the county in arms, and compelled every peasant to give him bed and board wherever he appeared. In the caprices of his tyranny, he would make persons who chanced to pass him, kneel down and offer him reverence, while he presented his musket at their heads.

Yet he was a favourite with the populace, who pardoned the outrages committed on themselves, on account of his readiness to avenge the affronts or the injuries which they suffered from others. Villain as the fellow was, it was not the reward which tempted him to betray his associates. Though 2000*l.* had been offered by Government, he gave no information for several months; and when he did give it, it was to save his life, which he had forfeited by a highway robbery, for which he had been arrested. He seemed exceedingly anxious to impress upon the crowd, that though he was a "stag," it was not for gold that he had sold the cause. Life itself was the only bribe that could move his honour, and even the temptation which the instinctive passion for existence held out to him was for a long while resisted.

Mr. Hatchell cross-examined this formidable attestator with extraordinary skill and dexterity, but he was still unable to shake his evidence.* It was perfectly consistent and compact, smooth and round, without any point of discrepancy on which the most dexterous practitioner could lay a strong hold. The most unfavourable circumstance to his cross-examiner was his openness

* The late Attorney-General for Ireland. In the cross-examination of witnesses his reputation at the bar was not inferior to that of Mr. O'Connell himself.

and candour. He had an ingenuousness in his atrocity which defied all the ordinary expedients of counsel. Most informers allege that they are influenced by the pure love of justice to betray their accomplices. This statement goes to shake their credit, because they are manifestly perjured in the declaration. Fitzgerald, however, took a very different course. He disclaimed all interest in the cause of justice, and repeatedly stated that he would not have informed, except to rescue himself from the halter which was fastened round his neck. When he left the table, he impressed every man who heard him with a conviction of, not only his great criminality, but his extraordinary talents.

He was followed by another accomplice, of the name of Ryan, who was less remarkable than Fitzgerald, but whose statement was equally consistent, and its parts as adhesive to each other as the more important informers. They had been left in separate gaols, and had not had any communication, so that it could not be suggested that their evidence was the result of a comparison of notes, and of a conspiracy against the prisoners. This Ryan also alleged that he had informed merely to save his life. These witnesses were succeeded by several, who deposed to minute incidents which went to corroborate the informers; but notwithstanding that a strong case had been made out by the Crown, still the testimony of some untainted witness to the leading fact was requisite, and the Counsel for the prosecution felt that on Kate Costello the conviction must still depend. She had not taken any participation in the murder. She could not be regarded as a member of the conspiracy; she was a servant in the house of old John Keogh, but not an agent in the business; and if she confirmed what

the witnesses had deposed to, it was obvious that a conviction would ensue; while upon the other hand, if she was not brought forward, the want of her testimony would produce a directly opposite result.

She was called, and a suspense far deeper than the expectation which had preceded the evidence of Fitzgerald was apparent in every face. She did not come, and was again summoned into court. Still Kate Costello did not appear. Repeated requisitions were sent by the Solicitor-General, but without effect; at length every one began to conjecture that she would disappoint and foil the Crown, and the friends of the prisoners murmured "that Kate Costello would not turn against her people;" an obvious feeling of satisfaction pervaded the crowd, and the prisoners exhibited a proportionate solicitude in which hope seemed to predominate.

Suddenly, however, the chamber-door communicating with the room where the witnesses were kept was opened, and one of the most extraordinary figures that ever appeared in that strange theatre an Irish Court of justice, was produced. A withered, diminutive woman, who was unable to support herself, and whose feet gave way at every step, into which she was impelled by her attendants, was seen entering the court, and tottering towards the table. Her face was covered, and it was impossible, for some time after she had been placed on the table, to trace her features; but her hands, which were as white and clammy as a corpse's, and seemed to have undergone the first process of decomposition, shook and shuddered, and a thrill ran through the whole of her miserable and worn-out frame. A few minutes elapsed before her veil was removed; and when it was, the most ghastly face which

I have ever observed was disclosed. Her eyes were quite closed, and the eyelids shrunken as if by the touch of death. The lips were like ashes, and remained open and without movement. Her breathing was scarcely perceptible, and as her head lay on her shoulder, her long black hair fell dishevelled, and added to the general character of disordered horror which was expressed in her demeanour.

Now that she was produced, she seemed little calculated to be of any use. Mr. Doherty repeatedly addressed himself to her, and entreated her to answer. She seemed unconscious even of the sound of his voice. At length, however, with the aid of water, which was applied to her mouth, and thrown in repeated aspersions over her face, she was in some degree restored, and was able to breathe a few words. An interval of minutes elapsed between every question and answer. Her voice was so low as to be scarcely audible, and was rather an inarticulate whisper, than the utterance of any connected sentence. She was, with a great deal to do, conducted by the examiner through some of the preliminary incidents, and at last was brought to the scene in the grove where the murderers were assembled. It remained that she should recognise the prisoners. Unless this were done, nothing would have been accomplished. The rod with which culprits are identified was put into her hand, and she was desired to stand up, to turn to the dock, and to declare whether she saw in court, any of the men whom she had seen in the grove on the day of the murder. For a considerable time she could not be got to rise from her seat; and when she did, and stood up

after a great effort over herself, before she had turned round, but while the rod was trembling in her hand, another extraordinary incident took place.

Walsh, one of the prisoners at the bar, cried out with the most vehement gesture,—"O God! you are going to murder me! I'll not stand here to be murdered, for I'm downright murdered, God help me!" This cry, uttered by a man almost frenzied with excitation, drew the attention of the whole Court to the prisoner; and the Judge inquired of him of what he complained. Walsh then stated with more composure, that it was unfair, while there was nobody in the dock but Lacy and himself, to desire Kate Costello to look at him, for that he was marked out to her where he stood. This was a very just observation, and Judge Moore immediately ordered that other prisoners should be brought from the gaol into the dock, and that Walsh should be shown to Kate Costello in the midst of a crowd. The gaol was at a considerable distance, and a good deal of time was consumed in complying with the directions of the Judge. Kate Costello sank down again upon her chair, and in the interval before the arrival of the other prisoners we engaged in conjectures as to the likelihood of Walsh being identified. She had never seen him, except at the grove, and it was possible that she might not remember him. In that event his life was safe.

At last the other prisoners were introduced into the dock. The sound of their fetters as they entered the Court, and the grounding of the soldiers' muskets on the pavement, struck me. It was now four o'clock in the morning, the candles were almost wasted to their sockets, and a dim and uncertain light was diffused

through the court. Haggardness sat upon the spectators, and yet no wearinesss or exhaustion appeared. The frightful interest of the scene preserved the mind from fatigue.

The dock was crowded with malefactors, and brought as they were in order that guilt of all kinds should be confused and blended, they exhibited a most singular spectacle. This assemblage of human beings laden with chains was, perhaps, more melancholy from the contrast which they presented between their condition and their aspect. Even the pale light which glimmered through the court did not prevent their cheeks from looking ruddy and healthful. They had been awakened in their lonely cells in order to be produced, and, as they were not aware of the object of arraying them together, there was some surprise mixed with fear in their looks. I could not help whispering to myself as I surveyed them: "What a noble and fine race of men are here, and how much have they to answer for, who, by degrading, have demoralised such a people!"

The desire of Walsh having been complied with, the witness was called upon a second time to place the rod upon his head. She rose again, and turned round, holding the fatal index in her hand. There was a deep silence through the court; the face of Walsh exhibited the most intense anxiety, as the eyes of Kate Costello rested upon the place where he stood. She appeared at first not to recognise him, and the rod hung loosely in her hand. I thought, as I saw her eyes traversing the assemblage of malefactors, that she either did not know him, or would affect not to remember him. At last, however, she raised the rod, and stretched it forth, but, before it was laid on the devoted head, a female

voice exclaimed, "Oh, Kate!" This cry, which issued from the crowd, and was probably the exclamation of some relative of the Keoghs, whose destiny depended on that of Walsh, thrilled the witness to the core. She felt the adjuration in the very recesses of her being.

After a shudder, she collected herself again, and advanced again towards the dock. She raised the rod a second time, and having laid it on the head of Walsh, who gave himself up as lost the moment it touched him, she sank back into her chair. The feeling which had filled the heart of every spectator here found a vent, and a deep murmur was heard through the whole court, mingled with sounds of stifled execration from the mass of the people in the background. Lacy also was identified; and here it may be said that the trial closed. Walsh, who, while he entertained any hope, had been almost convulsed with agitation, resumed his original composure. He took no farther interest in the proceeding, except when his landlord gave him a high character for integrity and good conduct; and this commendation he seemed rather to consider as a sort of bequest which he should leave to his kindred, than as the means of saving his life. It is unnecessary almost to add, that the prisoners were found guilty.

Kate Costello, whose evidence was of such importance to the Crown, had acted as a species of menial in the house of old John Keogh, but was a near relation of her master. It is not uncommon among the lower orders to introduce some dependent relative into the family, who goes through offices of utility which are quite free from degradation, and is at the same time treated, to a great extent, as an equal. Kate Costello

sat down with old Jack Keogh and his sons at their meals, and was accounted one of themselves. The most implicit trust was placed in her; and on one of the assassins observing "that Kate Costello could hang them all," another observed, "that there was no fear of Kate." Nor would Kate ever have betrayed the men who had placed their confidence in her from any mercenary motives. Fitzgerald had stated that she had been at "the Grove" in the morning of the day on which the murder was committed, and that she could confirm his testimony. She was in consequence arrested, and was told that she should be hanged unless she disclosed the truth.

Terror extorted from her the revealments which were turned to such account. When examined as a witness on the trial of Lacy and of Walsh, her agitation did not arise from any regard for them, but from her consciousness that if they were convicted her own relatives and benefactors must share in their fate. The trial of Patrick and John Keogh came on upon Saturday the 5th of April, some days after the conviction of Lacy and of Walsh, who had been executed in the interval. The trial of the Keoghs was postponed at the instance of the prisoners, but it was understood that the Crown had no objection to the delay, as great difficulty was supposed to have arisen in persuading Kate Costello to give completion to the useful work in which she had engaged. It was said that the friends of the Keoghs had got access to her, and that she had refused to come forward against "her people." It was also rumoured that she had entertained an attachment for John Keogh, and although he had wronged her, and she had suffered severe detriment from

their criminal connexion, that she loved him still, and would not take his life away. There was, therefore, enough of doubt incidental to the trial of the Keoghs to give it the interest of uncertainty; and, however fatal the omen which the conviction of their brother conspirators held out, still it was supposed that Kate Costello would recoil from her terrible task.

The Court was as much crowded as it had been on the first trial, upon the morning on which the two Keoghs were put at the bar. They were more immediate agents in the assassination. It had been in a great measure planned, as well as executed by them; and there was a farther circumstance of aggravation in their having been in habits of intimacy with the deceased. When placed at the bar, their appearance struck every spectator as in strange anomaly with their misdeeds. They both seemed to be farmers of the most respectable class. Patrick, the younger, was perfectly well clad. He had a blue coat and white waistcoat, of the best materials used by the peasantry: a black silk-handkerchief was carefully knotted on his neck. He was lower in stature, and of less athletic proportions than his brother John, but had a more determined and resolute physiognomy. He looked alert, quick, and active. The other was of gigantic stature, and of immense width of shoulder and strength of limb. He rose beyond every man in court, and towered in the dock. His dress was not as neatly arranged as his brother's, and his neck was without covering, which served to exhibit the hugeness of his proportions. He looked in the vigour of powerful manhood. His face was ruddy and blooming, and was quite destitute of all darkness and malevolence of expression. There was perhaps too much fulness about the lips, and some traces of savageness, as well as of voluptuous-

ness, might have been detected by a minute physiognomist in their exuberance; but the bright blue of his mild and intelligent eyes counterbalanced this evil indication.

The aspect of these two young men was greatly calculated to excite interest; but there was another object in court which was even more deserving of attention. On the left hand of his two sons, and just near the youngest of them, sat an old man, whose head was covered with a profusion of grey hairs, and who, although evidently greatly advanced in years, was of a hale and healthful aspect. I did not notice him at first, but in the course of the trial the glare which his eye gradually acquired, and the passing of all colour from his cheek, as the fate of his sons grew to certainty, drew my observation, and I learned on enquiry, what I had readily conjectured, that he was the father of the prisoners at the bar. He did not utter a word during the fifteen or sixteen hours that he remained in attendance upon the dreadful scene which was going on before him. The appearance of Kate Costello herself, whom he had fostered, fed, and cherished, scarcely seemed to move him from his terrible tranquillity. She was, as on the former occasion, the pivot of the whole case.

The anticipations that she would not give evidence "against her own flesh and blood" were wholly groundless, for on her second exhibition as a witness she enacted her part with much more firmness and determination. She had before kept her eyes almost closed, but she now opened and fixed them upon the Counsel, and exhibited great quickness and shrewdness in their expression, and watched the cross-examination with great wariness and dexterity. I was greatly surprised at this change, and can only refer it to the spirit of

determination which her passage of the first difficulty on the former trial had produced. The first step in blood had been taken, and she trod more firmly in taking the second. Whatever may have been the cause, she certainly exhibited little compunction in bringing her cousins to justice, and laid the rod on the head of her relative and supposed paramour without remorse.

At an early hour on Sunday morning the verdict of guilty was brought in. The prisoners at the bar received it without surprise, but turned deadly pale. The change in John Keogh was more manifest, as in the morning of Saturday he stood blooming with health at the bar, and was now as white as a shroud. The Judge told them that as it was the morning of Easter Sunday, (which is commemorative of the resurrection of the Saviour,) he should not then pronounce sentence upon them. They cried out: "A long day, a long day, my lord!" and at the same time begged that their bodies might be given to their father. This prayer was uttered with a sound resembling the wail of an Irish funeral, and accompanied with a most pathetic gesture. They both swung themselves with a sort of oscillation up and down, with their heads thrown back, striking their hands, with the fingers half closed, against their breasts, in the manner which Roman Catholics use in saying the Confiteor. The reference which they made to their father drew my attention to the miserable old man. Two persons, friends of his, had attended him in court, and when his sons, after having been found guilty, were about to be removed, he was lifted on the table, on which he was with difficulty sustained, and was brought near to the dock. He wanted to embrace John Keogh, and stretched out his arms towards him. The latter, whose manliness now forsook him, leaned

over the iron spikes to his full length, got the old man into his bosom, and while the tears ran down his face, pressed him long and closely to his heart. They were at length separated, and the sons were removed to the cells appointed for the condemned.

The Judge left the bench, and the court was gradually cleared. Still the father of the prisoners remained between his two attendants almost insensible. He was almost the last to depart. I followed him out. It was a dark and stormy night. The wind beat full against the miserable wretch, and made him totter as he went along. His attendants were addressing to him some words of consolation connected with religion, (for these people are, with all their crimes, not destitute of religious impressions,) but the old man only answered them with his moans. He said nothing articulate, but during all the way to the obscure cellar into which they led him, continued moaning as he went. It was not, I trust, a mere love of the excitement which arises from the contemplation of scenes in which the passions are brought out, that made me watch this scene of human misery. I may say without affectation, that I was (as who would not have been?) profoundly moved by what I saw; and when I beheld this forlorn and desolate man descend into his wretched abode, which was lighted by a feeble candle, and saw him fall upon his knees in helplessness, while his attendants gave way to sorrow, I could not restrain my own tears.

The scenes of misery did not stop here. Old John Russel pleaded guilty. He had two sons, lads of fifteen or sixteen, and, in the hope of saving them, acknowledged his crime at the bar: "Let them," he said in the gaol where I saw him, "let them put me on the trap if they like, but let them spare the boys."

OBSERVATIONS ON AGRARIAN CRIME.

[July, 1828.]

But I shall not proceed further in the detail of these dreadful incidents. There were many other trials at the assizes, in which terrible disclosures of barbarity took place. For three weeks the two Judges were unremittingly employed in trying cases of dreadful atrocity, and in almost every instance the perpetrators of crimes the most detestable were persons whose general moral conduct stood in a wonderful contrast with their isolated acts of depravity.

Almost every offence was connected with the great agrarian organization which prevails through the country. It must be acknowledged that, terrible as the misdeeds of the Tipperary peasantry must upon all hands be admitted to be, yet, in general, there was none of the meanness and turpitude observable in their enormities which characterise the crimes that are disclosed at an English assize. There were scarcely any examples of murder committed for mere gain. It seemed to be a point of honour with the malefactors to

take blood, and to spurn at money. Almost every offence was committed in carrying a system into effect, and the victims who were sacrificed were considered by their immolators as offered up, upon a justifiable principle of necessary extermination. These are assuredly important facts, and after having contemplated these moral phenomena, it becomes a duty to inquire into the causes from which these marvellous atrocities derive their origin.

But before I proceed to suggest what I conceive to be the sources of a condition so disastrous, it is not inappropriate to inquire how long the lower orders in Ireland have been habituated to these terrible practices, and to look back to the period at which they may be considered to have their origin. If these crimes were of a novel character, and had a recent existence, that circumstance would afford strong grounds for concluding that temporary expedients, and the vigorous administration of the law applied to the suppression of local and ephemeral disturbances, would be of avail. But if we find that it is not now, or within these few years, that these symptoms of demoralization have appeared, it is then reasonable to conclude that there must be some essential vice, some radical imperfection in the general system by which the country is governed, and it is necessary to ascertain what the extent and root of the evil is, before any effectual remedy can be discovered for its cure. This is a subject of paramount interest, and its importance will justify the writer of this article, after a detail of the extraordinary incidents which he has narrated, in taking a rapid retrospect of antecedent events, of which recent transactions may be reasonably accounted the perpetuation. In doing so,

some coincidence may be found with what the writer may have observed elsewhere, but the fear of incurring the imputation either of tédiousness or self-citation shall not deter him from references to what he conceives to be of great and momentous materiality.

The first and leading feature in the disturbances and atrocities of Tipperary is, that they are of an old date, and have been for much more than half a century of uninterrupted continuance. Arthur Young travelled in Ireland in the years 1776, 1777, and 1778. His excellent book is entitled, "A Tour in Ireland, with general Observations on the present State of that Kingdom." Although the professed object of Arthur Young in visiting Ireland was to ascertain the condition of its agriculture, and a great portion of his work turns upon that subject, yet he has also investigated its political condition, and pointed out what he conceived to be the chief evils by which the country was afflicted, and the mode of removing them. He adverts particularly to the state of the peasantry in the south of Ireland, and it is well worthy of remark that the outrages which are now in daily commission, were of exactly the same character as the atrocities which were perpetrated by the Whiteboys (as the insurgents were called) in 1760.

"The Whiteboys," says Arthur Young, in page 75 of the quarto edition, "began in Tipperary. It was a common practice with them to go in parties about the country, swearing many to be true to them, and forcing them to join, by menaces which they very often carried into execution. At last they set up to be general redressers of grievances—punished all obnoxious persons who advanced the value of lands, or held farms over their head; and having taken the administration of justice

into their own hands, were not very exact in the distribution of it. They forced masters to release their apprentices, carried off the daughters of rich farmers, ravished them into marriages, levied sums of money on the middling and lower farmers in order to support their cause in defending prosecutions against them, and many of them subsisted without work, supported by these prosecutions. Sometimes they committed considerable robberies, breaking into houses, and taking money under pretence of redressing grievances. In the course of these outrages they burned several houses, and destroyed the whole substance of those obnoxious to them. The barbarities they committed were shocking. One of their usual punishments, and by no means the most severe, was taking people out of their beds, carrying them naked in winter on horseback for some distance, and burying them up to their chin in a hole with briers, not forgetting to cut off one of their ears."

Arthur Young goes on to say that the Government had not succeeded in discovering any radical cure. It will scarcely be disputed that the Whiteboyism of 1760 corresponds with that of 1828; and if, when Arthur Young wrote his valuable book, the Government had not discovered any "radical cure," it will scarcely be suggested that any remedy has since been devised. From the period at which these outrages commenced, the evil has continued in a rapidly progressive augmentation. Every expedient which legislative ingenuity could invent has been tried. All that the terrors of the law could accomplish, has been put into experiment without avail. Special Commissioners and special delegations of counsel have been almost annually despatched into the disturbed districts, and crime appears

to have only undergone a pruning, while its roots remained untouched. Mr. Doherty is not the first Solicitor-General of great abilities who has been despatched by Government for the purpose of awing the peasantry into their duty. The present Chief Justice of the King's Bench, upon filling Mr. Doherty's office, was sent upon the same painful errand, and after having been equally successful in procuring the conviction of malefactors, and brandished the naked sword of justice with as puissant an arm, new atrocities have almost immediately afterwards broken forth, and furnished new occasions for the exercise of his commanding eloquence. It is reasonable to presume that the recent executions at Clonmel will not be attended with any more permanently useful consequences, and symptoms are already begining to reappear, which independently of the admonitions of experience, may well induce an apprehension that before much time shall go by, the law officers of the crown will have to go through the same terrible routine of prosecution.

It is said, indeed, by many sanguine speculators on the public peace, that now, indeed, something effectual has been done, and that the gaol and the gibbet have given a lesson that will not be speedily forgotten. How often has the same thing been said when the scaffold was strewed with the same heaps of the dead! How often have the prophets of tranquillity been falsified by the event. If the crimes which, ever since the year 1760, have been uninterruptedly committed, and have followed in such a rapid and tumultuous succession, had been only of occasional occurrence, it would be reasonable to conclude that the terrors of the law could repress them. But it is manifest that the system of

atrocity does not depend upon causes merely ephemeral, and cannot therefore, be under the operation of temporary checks. We have not merely witnessed sudden inundations which, after a rapid desolation, have suddenly subsided; we behold a stream as deep as it is dark, which indicates, by its continuous current, that it is derived from an unfailing fountain, and which however augmented by the contribution of other springs of bitterness, must be indebted for its main supply to some abundant and distant source. Where then is the well-head to be found? Where are we to seek for the origin of evils, which are of such a character that they carry with them the clearest evidence that their causes must be as enduring as themselves?

It may at first view, and to any man who is not well acquainted with the moral feelings and habits of the great body of the population of Ireland, seem a paradoxical proposition that the laws which affect the Roman Catholics furnish a clue by which, however complicated the mazes may be which constitute the labyrinth of calamity, it will not be difficult to trace our way. It may be asked, with a great appearance of plausibility, (and indeed it is often inquired,) what possible effect the exclusion of a few Roman Catholic gentlemen from Parliament, and of still fewer Roman Catholic barristers from the bench, can produce in deteriorating the moral habits of the people? This, however, is not the true view of the matter. The exclusion of Roman Catholics from office is one of the results of the penal code, but it is a sophism to suggest that it is the sum total of the law itself, and that the whole of it might be resolved into that single proposition. The just mode of presenting the question would be this: "What effect does the penal code pro-

duce by separating the higher and the lower orders from each other?"

Before I suggest any reasons of my own, it may be judicious to refer to the same writer, from whom I have extracted a description of the state of the peasantry, with which its present condition singularly corresponds. The authority of Arthur Young is of great value, because his opinions were not in the least degree influenced by those passions which are almost inseparable from every native of Ireland. He was an Englishman—had no share in the factious animosities by which this country is divided—he had a cool, deliberate, and scientific mind—was a sober thinker, and a deep scrutiniser into the frame and constitution of society, and was entirely free from all tendency to extravagance in speculation, either political or religious. Arthur Young's book consists of two parts. In the first he gives a minute account of what he saw in Ireland, and in the second, under a series of chapters, one of which is appropriately entitled "Oppression," he states what he conceives to be the causes of the lamentable condition of the people.

Having prefixed this title of "oppression"* to the 29th page of the second part of his book, he says, "The landlord of an Irish estate inhabited by Roman Catholics, is a sort of despot, who yields obedience in whatever concerns the poor to no law but his own will. To discover what the liberty of a people is, we must live amongst them, and not look for it in the statutes of the realm; the language of written law may be that of liberty, but the situation of the poor may speak no language but that of slavery. There is too much of this contradiction in Ireland; a long series of oppression, aided by many very ill-judged laws, has brought

landlords into a habit of exerting a very lofty superiority, and their vassals into that of a most unlimited submission: speaking a language that is despised, professing a religion that is abhorred; and being disarmed, the poor find themselves, in many cases, slaves, even in the bosom of written liberty! . . . The abominable distinction of religion united with the oppressive conduct of the little country gentlemen, or rather vermin of the kingdom, who were never out of it, all together bear still very heavy on the poor people, and subject them to situations more mortifying than we ever behold in England."

In the next page after these preliminary observations, this able writer (who said in vain fifty years ago, what since that time so many eminent men have been in vain repeating), points out more immediately the causes of the crimes committed by the peasantry, which he distinctly refers to the distinctions of religion. "The proper distinction in all the discontents of the people is into Protestant and Catholic. The Whiteboys being labouring Catholics, met with all those oppressions I have described, and would probably have continued in full submission, had not very severe treatment blown up the flame of resistance. The atrocious acts they were guilty of made them the objects of general indignation: acts were passed for their punishment, which seemed calculated for the meridian of Barbary: it is manifest that the gentlemen of Ireland never thought of a radical cure, from overlooking the real cause of the disease, which, in fact, lay in themselves, and not in the wretches they doomed to the gallows. Let them change their own conduct entirely, and the poor will not long riot. Treat them

like men, who ought to be free as yourselves: put an end to that system of religious persecution, which for seventy years has divided the kingdom against itself. In these two things lies the cure of insurrection—perform them completely, and you will have an affectionate poor, instead of oppressed and discontented vassals; a better treatment of the poor in Ireland is a very material point to the welfare of the whole British empire. Events may happen which may convince us fatally of this truth. If not, oppression would have broken all the spirit and resentment of men. By what policy the Government of England can, for so many years, have permitted such an absurd system to be matured in Ireland, is beyond the power of plain sense to discover."

Arthur Young may be wrong in his inference, (I do not think that he is), but, be he right or wrong, I have succeeded in establishing that he, whose evidence was most dispassionate and impartial, referred the agrarian barbarities of the lower orders to the oppression of the Roman Catholics. But the passage which I have cited is not the strongest. The seventh section of his work is entitled "Religion." After saying that "the domineering aristocracy of five hundred thousand Protestants feel the sweets of having two millions of slaves," (the Roman Catholic body was then not one-third of what the penal code has since made it), he observes: "the disturbances of the Whiteboys, which lasted ten years, (what would he now say of their duration?) in spite of every exertion of legal power, were, in many circumstances, very remarkable, and in none more so than in the surprising intelligence among the insurgents, wherever found. It was universal, and almost instan-

taneous. The numerous bodies of them, at whatever distance from each other, seemed animated by one zeal, and not a single instance was known, in that long course of time, of a single individual betraying the cause. The severest threats and the most splendid promises of reward had no other effect than to draw closer the bonds which cemented a multitude to all appearance so desultory. It was then evident that the iron hand of oppression had been far enough from securing the obedience, or crushing the spirit of the people; and all reflecting men, who consider the value of religious liberty, will wish it may never have that effect,—will trust in the wisdom of Almighty God, for teaching man to respect even those prejudices of his brethren, that are imbibed as sacred rights, even from earliest infancy; that, by dear-bought experience of the futility and ruin of the attempt, the persecuting spirit may cease, and toleration establish that harmony and security which, five score years' experience has told us, is not to be purchased at the expense of humanity."

This is strong language, and was used by a man who had no connecting sympathy of interest, of religion, or of nationality with Ireland. So unequivocal an opinion, expressed by a person of such authority, and whose credit is not affected by any imaginable circumstance, must be admitted to have great weight, even if there was a difficulty in perceiving the grounds on which that opinion rested. But there is little or none. The law divides the Protestant proprietor from the Catholic tiller of the soil, and generates a feeling of tyrannical domination in the one, and of hatred and distrust in the other. The Irish peasant is not divided from his landlord by the ordinary demarcations of society.

Another barrier is erected, and as if the poor and the rich were not already sufficiently separated, religion is raised as an additional boundary between them. The operation of the feelings, which are the consequence of this division, is stronger in the county of Tipperary than elsewhere. It is a peculiarly Cromwellian district, or, in other words, the holy warriors of the Protector chose it as their land of peculiar promise, and selected it as a favourite object of confiscation. The lower orders have good memories. There is scarce a peasant who, as he passes the road, will not point to the splendid mansions of the aristocracy, embowered in groves, or rising upon fertile elevations, and tell you the name of the pious Corporal, or the inspired Sergeant, from whom the present proprietors derive a title which, even at this day, appears to be of a modern origin. These reminiscences are of a most injurious tendency.

But, after all, it is the system of religious separation which nurtures the passions of the peasantry with these pernicious recollections. They are not permitted to forget that Protestantism is stamped upon every institution in the country, and their own sunderance from the privileged class is perpetually brought to their minds. Judges, sheriffs, magistrates, Crown counsel, law officers,—all are Protestant. The very sight of a court of justice reminds them of the degradations attached to their religion, by presenting them with the ocular proof of the advantages and honours which belong to the legal creed. It is not, therefore, wonderful that they should feel themselves a branded caste; that they should have a consciousness that they belong to a debased and inferior community; and having no

confidence in the upper classes, and no reliance in the sectarian administration of the law, that they should establish a code of barbarous legislation among themselves, and have recourse to what Lord Bacon calls "the wild justice" of revenge.

A change of system would not perhaps produce immediate effects upon the character of the people, but I believe that its results would be much more speedy than is generally imagined. At all events, the experiment of conciliation is worth the trial. Every other expedient has been resorted to, and has wholly failed. It remains that the legislature, after exhausting all other means of tranquillising Ireland, should, upon a mere chance of success, adopt the remedy which has at least the sanction of illustrious names for its recommendation. The union of the two great classes of the people in Ireland, in other words, the emancipation of the Roman Catholics, is in this view not only recommended by motives of policy, but of humanity; for who that has witnessed the scenes which I have (perhaps at too much length) detailed in these pages, can fail to feel that, if the demoralization of the people arises from bad government, the men who from feelings of partisanship persevere in that system of misrule will have to render a terrible account.

NOTES UPON CIRCUIT.

[NOVEMBER, 1829.]

DURING the last Leinster Circuit, I noted down the incidents which were disclosed in several remarkable trials. An attentive observer will readily find in realities as much matter for excitement, and calculated to produce an interest as lively as invention will supply. Justice may be said, in Ireland, to minister to romance; for, in her periodical progresses through the South, she brings to light the passions of a people, in whose delinquencies there is often as much of strangeness as of atrocity.

Wexford.—A case was tried here, in which murder and adultery appeared in a fellowship of a very hideous and extraordinary kind. A cobler's hut, in a village situate at about six miles from Wexford, furnished a stage for a frightful tragedy, in which Mrs. Crosbie, the wife of a brogue-maker, performed the part of Clytemnestra. The murderer was journeyman to the husband. Before the Ægisthus of the last was arraigned, I anticipated that some huge and muscular villain would raise his gaunt form at the dock, and that

the predilections of Mrs. Crosbie would be justified by the configuration of the fascinating assassin; and I was not a little surprised, when a squalid wretch, with scarce enough of raiment to hide his emaciation, appeared at the bar as the hero of a sanguinary amour.

When John Brown (that was the prisoner's name) heard the indictment read, by which he was charged with having poisoned his master, in confederacy with his wife, his plea of "Not Guilty" seemed to be sustained by all the accessories of innocence which a peculiar repulsiveness could supply. His cadaverous and charnel look; his lips that were blanched with starvation; eyes in which fear and famine glared together; his wild and matted hair; his stooping and contracted form; his ragged clothes, and the union of physical meanness with cowering debasement, constituted such a nauseating combination, as rendered it almost incredible that any woman should have seen in him an object of voluptuous preference. He found advocates in his ghastliness, and in the assemblage of loathsome circumstances that were arrayed about him, more powerful than any aid which the eloquence or the dexterity of counsel could supply. He had not the means of employing one; and Judge Johnson begged a gentleman of the bar to relieve him in some degree from the painful responsibility of trying a person who was wholly undefended, by giving him his gratuitous assistance.

In support of the prosecution, the first witness produced was John Hanton, who gave evidence of the leading facts, in the following narrative. Crosbie was a master brogue-maker, who employed the prisoner, as well as the witness, in working in his shop. Crosbie was married to a woman of whom he manifested jealousy,

and complained that she was too intimate with the prisoner. The latter, upon a holiday, walked with the witness to Wexford, and on his way declared that he would cure Crosbie of his suspicions. They proceeded to the town, where Brown purchased a quantity of arsenic and red precipitate; and on their way home he of his own accord told his companion, that he and Mrs. Crosbie had determined to put the husband out of the way. This intelligence was, as the witness stated, gratuitously conveyed: Brown had no motive whatever for telling him that the death of their master had been resolved upon. He made no commentary, and neither assented to nor remonstrated against the abominable design. They proceeded to Crosbie's house, and here a strange expedient was adopted by Brown. It appears that he imagined that if he did not actually deliver the poison with his own hand to the woman, who had commissioned him to procure it, he would not be guilty of the contemplated murder. In order, therefore, to relieve his conscience, he placed Hanton, the witness, between himself and Mrs. Crosbie, and having taken his hand, while Hanton held that of Mrs. Crosbie, he delivered the poison to Hanton, while the latter passed it to the wife. At this statement of an expedient, which was designated as the legerdemain of assassination, everybody in Court seemed to start; and Judge Johnson, struck with what appeared to be the gross improbability of the whole story, became manifestly favourable to the prisoner.

The poison having been delivered to Mrs. Crosbie, it was agreed upon, in the presence of Hanton, (who had, according to his own account, no sort of concern in the transaction, not having the least penchant for the wife

of his employer, and expecting no benefit from his death,) that Mrs. Crosbie should mix the arsenic in bread-and-butter; and without resorting to the red precipitate, which was to be reserved for an emergency, that they should try what the former poison would accomplish. Mrs. Crosbie was not slow in carrying the project into execution. Her husband became immediately unwell, and the amiable wife affected a deep concern for his sufferings. The prisoner at the bar beheld him writhing in torture, and stood unappalled. It was apprehended that the arsenic would not effect their object with sufficient celerity, and Brown advised that the red precipitate should be applied. Accordingly Mrs. Crosbie put it into a cup of tea, and telling her husband that it would relieve him, applied it to his burning lips. The potion was swallowed, and Crosbie expired.

He was interred with unusual haste—no inquest was held—the witness left the village, and went to live at a distance. He did not know what became of Brown and Mrs. Crosbie; and it was after the lapse of a great length of time, Mrs. Crosbie having died in the interval, that he gave information upon which the prisoner was arrested. The testimony of this witness was, upon cross-examination, greatly shaken. Upon being asked what motive John Brown could have in communicating to him his intention to commit the murder, and in handing the poison to him that he might pass it to Mrs. Crosbie, he was unable to suggest even a plausible reason. His concealment of the crime, too, for many years, without his suggesting any inducement to disclose it at so late a period, gave to his entire evidence a colour of fabrication. He was at best an informer;

and therefore, as the Judge observed, upon his single and uncorroborated statement, the prisoner could not be found guilty. A policeman was produced, who swore that Brown, on being arrested, declared that Hanton had as much to do with the matter as he had. This, however, was not such an acknowledgment as would convict. It was also proved that Brown fled from the village some time after the murder; but on investigation it was discovered that the priest of the parish had, upon the ground of his profligate life, and from his suspicion that he had committed the assassination, ordered him to leave his district. Thus his absconding was accounted for.

Had the case closed here Brown would have escaped; but at length a witness, of a very extraordinary aspect, who awakened universal attention by the strangeness of her countenance and figure, appeared. A female dwarf, about three feet in height, although eighteen years of age, deformed in every limb, with a head almost as large as the entire residue of her squat and distorted body, and a countenance stamped with the expression of broad idiocy, was lifted to the table. She was obviously "an innocent," and an effort was made to exclude her evidence, on the allegation that she could have no idea of a future state. However, there gleamed through the darkness by which her intellect was enveloped a sufficient ray to show that she had some notion of a place of punishment, and she muttered the word "hell," with a stare of horror which made way for her attestation. Her aspect was in itself hideous enough, without any accessory, to excite a painful sensation in every one who beheld her; but when she stated that Mrs. Crosbie was her mother, and it was manifest that the idiot child was come to brand

the barbarous parent, the interest which she excited was as distressing as it was universal.

She swore that her mother had seven children, and that on the night of Crosbie's death they all slept in their mother's room; and she farther deposed, that Brown had on that very night lain with her detestable mother. In the chamber where her family were all assembled, and while her husband was stretched cold and dead in the room beneath, the murderess had received her confederate in assassination, who remained locked in her guilty embraces, surrounded by the offspring of his abominable paramour. It was observed by the counsel for the prisoner, that out of the seven children only one was produced. It was answered that they were all, with the exception of the last witness and her brother, confirmed idiots, who were almost incapable of articulation, but that the brother should be produced. This was accordingly done. A boy, who had been struck with a visitation nearly as calamitous as his sister, and was ricketty and decrepid, gave the same account as the former witness, and proved the adulterous intercourse to have taken place immediately after the assassination. This poor creature mentioned that Brown and his mother went off together; and that he and the rest of the family being all utterly destitute, were taken in, from compassion, to the houses of the neighbours, where they had been since charitably sustained.

As he left the table, a most painful exhibition took place. His mother had been dead for a considerable time. He was ignorant of this fact; and although he had been abandoned by her, and he had every motive to hold her memory in detestation, while he was going down, after his examination, he suddenly paused, and

turning to the counsel for the Crown, with an eye in which, in the midst of vacancy, an instinctive affection was still apparent, he inquired, in a voice of infantine plaintiveness, "Where is my mammy? where is my mammy?" It is almost superfluous to state that the prisoner was convicted. He was immediately sentenced, and (a circumstance of rare occurrence in Ireland) his execution caused general satisfaction among the people.

Waterford.—An action for a libel, in which a young lady was the plaintiff, and another young lady was the defendant, produced great interest, and brought before the public some incidents of a very peculiar kind. I do not remember to have ever witnessed more extraordinary disclosures than were made in the case of "Miss Sarah Anthony *v.* Miss Jane E——." The latter, a woman of a very respectable family, had, for some time before the action was commenced, taken up her residence with a younger sister, whose name was Anne, upon a very wild and romantic spot upon the sea-coast, at Tramore. This village is situate on a steep acclivity, at the entrance of the harbour of Waterford, and, from the rugged height on which it stands, commands a noble prospect. Immediately beneath, the sea rolls upon an immense beach of bright and polished sand, and, in the storms that rage there in the winter, throws in numerous wrecks on its enormous billows. On the left, the river Suir is seen discharging itself into the sea; while, on the right hand, an iron-bound coast, piled up to a great elevation, receives the breakers of the Atlantic, which come to burst, after their long sweep over the ocean, on our shore.

Miss Jane E—— had lived in the circles of fashionable life; but weary of its turmoil, and being of a

poetical cast of mind, she selected this spot for her abode. She became an author, and published a volume of poems, in a very beautiful form, in which, although Messrs. Longman and Co. may not have found their sale very profitable, she evinced a good deal of ability. Her metrical reveries are filled with perpetual references to the ocean-scenery by which she was surrounded. She sought in the deep caverns into which that fine shore has been excavated by the eternal fretting of the element to which it is exposed, substitutes for the lofty halls where she had been accustomed to dwell; the stalactites that depended from their arched chambers made her forget the brilliant lustres of the illuminated ball-room: and the voices of the deep lulled her into an oblivion of that tumultuous world which she had abandoned.

Here she dwelt, for a period, happy and contented, enjoying the society of a beloved sister, to whom many of her poems are inscribed, and unmolested by any of the passions which attend the pursuits and embitter the pleasures of those who reside in the agitation of society. The perusal of her meditations in this sequestered spot would lead to a conclusion that she considered herself impregnable to any vehement and disturbing emotion; but Love contrived to climb over all the barriers which even the rocks of Tramore had afforded, and finding his way into the cottage of these amiable recluses, left the door ajar, and gave Jealousy an opportunity of stealing in.

In the winter of the year 1827, Captain Rutland was appointed Chief Constable of Police upon the Tramore station. The arrival of Telemachus upon her island was not more fatal to the peace of Calypso. The

captain, an Englishman by birth, with the politeness that belongs to his country, combined, in irresistible fascination, the strenuousness of address by which the natives of Ireland are supposed to be distinguished. He was at once ardent and gentle, refined and vehement; of fiery emotions, but happily tempered by manners of the softest and blandest character. With these advantages, he united a frank and pleasing aspect, a bright eye, black whiskers, that would have furnished strings for the bow of Cupid, a complexion of a rich brown hue, and, with all these attractions, a figure that would have justified a comparison to the station of "Harry Mercury" by any of the blue-stockings of the city of Waterford. The proximity to this Phaon of the police would have been dangerous to a poet of the softer sex in the crowd and whirl of the most brilliant society; what, then, must have been his influences in the wintry loneliness of that coast upon which an evil destiny had cast him?

He became acquainted with the Misses E——, and it was soon intimated to him that a conjugal proposition to one or other of them would be favourably received. That urbanity by which military men are distinguised, and beyond which the Captain did not go, was considered to amount to an intimation that either of the ladies must be an object of predilection. A Mrs. Christopher was employed to sound the depths of the Captain's heart. He, however, declared himself to have the fear of Malthus before his eyes; and while he felt thankful for the preference, conceived his constabulary office to be incompatible with any matrimonial avocations. This suggestion was received by Miss Jane E—— with all the indignation which it was calculated to create in the

female bosom. Instead of referring this frigidity to the philosophical temperament with which the Captain seemed to be endowed, his insensibility was attributed to another influence, and the exasperated fair one was not slow in discovering a Eucharis among the nymphs who not unfrequently attended the Captain in his excursions on the beach of Tramore. Miss Anthony, a young lady of considerable personal attractions, and of the highest merit, resided with her father at a small cottage in the vicinity of Miss E——. Mr. Rutland was introduced to Mr. Anthony, who received him with that spirit of candid hospitality which is characteristic of the country; and, with their father's sanction, he was welcomed by his daughters whenever he visited at their house. They met him with the frank facility of demeanour which belongs to Irishwomen, the gayest and the most innocent in the world; and which, so far from being indicative of any evil propensity, argues no fear of danger, in the ignorance of sin. Mr. Rutland deserved the kindness of the family, with which he was upon the terms of familiar but respectful acquaintance. He never paid, nor was he expected to pay, what is, I believe technically known by the name of "marked attention." He was looked upon merely as a friend, and was never accounted a lover.

The moment, however, that Miss E—— discovered he had occasionally taken tea at Miss Anthony's, a fierce jealousy took possession of her. She ascribed to this innocent girl what she regarded as the scandalous desertion of the Captain. At first, she contented herself with mocking her imaginary rival with derisive gestures whenever she chanced to meet her. She next proceeded to observe, among her acquaintances, that the shape of

Miss Anthony had assumed a semicircular configuration, and that her waist was no longer "fine by degrees, and beautifully less." She then proceeded to such extremities as to tell Mr. Rutland that his favourite was no better than what Desdemona feared to utter, and that the Foundling Hospital was likely to receive an accession to its members by their joint instrumentality. He recoiled at the calumny, and turned with indignant abhorrence from the accuser. This, however, only tended to confirm her detestation of Miss Anthony, and she contrived a scheme for her destruction, as singular as a jealous woman ever devised. Knowing that she could not effect her ends by charging Miss Anthony before any magistrate in the neighbourhood, because her character was above impeachment, she addressed to Alderman Darley, who is at the head of the police establishment in Dublin, the following extraordinary letter:—

"Tramore, Saturday, May the 3rd, 1828.

"Sir,—If you will send a confidential person here, on the part of the Crown, I can give some information, which I accidentally heard, that may bring to light a *murder committed* here, about six months ago. The person should be a stranger, unconnected in Waterford. I would communicate my information by letter, but that would not answer; nor can I communicate with the police officer here, as his co-operation will be essential afterwards. Let the person who comes take a car in Waterford, and come to Whelan's Hotel, and send for Miss E——, retaining the car for his return to Waterford.

"JANE E——."

Upon receipt of this extraordinary letter, Alderman Darley wrote to require Miss E—— to be more explicit; on which she addressed the following letter to him:—

"Sir,—The circumstances I alluded to, in the letter of the third, were these:—Another person and I were walking, and we heard the scream and a long-drawn groan of a child, on the 2nd of November, issuing from the premises or house of a Mr. Anthony, near the public walk to Tramore. Immediately after, and before we had time to take off our bonnets, (for we were on our return from our walk when we heard this,) the maid, then living with the family, went by our house, with a band-box resting on her hip, and tied round with a reddish and white handkerchief; and I heard afterwards that she was stopped by two men in Waterford, who opened the bandbox, and found in it a dead child. Doctor Dowsley, of Carrick, and the police officer here, can give some account to whom the child belonged; it being about a week or ten days old when the circumstance occurred, and there were but two persons then remaining in the house, namely, Sally Anthony and the servant. One reason that I wished to have a person sent was, that I could show the situation of the place, and from whence I heard the scream of injury, and quick succeeding groan of death. I have had a struggle with myself about mentioning the circumstances; but murder should not be let to pass, when one sees it followed by a system of audacity, as there were two women lay-in within a fortnight in that house. The police officer can give every information as to the child missing, as he was stopping in the house at

the time of the last. If it should be thought expedient to send any person down, he may come to Mrs. E——'s house, and inquire for Miss E——, and I will tell him the reason I did not give that permission at first.

"JANE E——."

"Tramore, May 9, 1828."

Alderman Darley having received these minute specifications, dispatched a police constable to Miss E——, who distinctly charged Miss Anthony with infanticide. An immediate investigation took place. The matter was examined before a bench of magistrates, and the whole story, from beginning to end, was proved to be destitute of the least foundation. For a libel, unprecedented in the annals of calumny, an action was brought. The counsel for Miss Anthony stated, not only that the whole charge was abominably false, but that it would be proved that, at the time specified by the defendant as that in which the infanticide was committed, the plaintiff was not in the town of Tramore.*

"I will," he said, "in confutation of the calumny to which the annals of malevolence do not afford a parallel, establish the noblest alibi in which a virtuous woman ever found the shield of her honourable name. It will be proved to you, that the young lady, against whose life, and what is far dearer than her life, this dreadful accusation has been levelled, was not at the place where this frightful crime is alleged to have been committed. Where was she at the moment selected by the defendant with all the minuteness of atrocious specification? I will not show you that she was revolving in the giddy mazes of a dance—or that she was contemplating some

* The counsel was Mr. Sheil himself.

scenic spectacle from the boxes of a theatre—or that she was rolling in a gilded chariot amidst the streets of your city—or that, amidst a crowd of enchanted auditors, she was evoking the notes of melody from some instrument of music with her soft and thrilling touch. No, gentlemen; my client, although a gentlewoman by birth and station, does not belong to those circles which are ordinarily denominated "fashionable," and where you might expect to find her engaged in the pursuit of idle and heartless pleasure. Fortune has placed her in that sphere of life in which there is most virtue, and most affection to be found, and where the fulfilment of her domestic duties is not only the chief end of the existence of a woman, but also gives to her her greatest charm.

"Not of the ball-room, nor of the theatre, nor of the parade, nor of the concert-room, nor of the banquet; mine shall be the alibi of the death-bed; and in place of the infanticide mother sitting in madness at the cradle of her murdered offspring, (for that is the picture which her rival has presented,) I will show you the affectionate daughter kneeling at the pillow of that couch from which her father was never again to rise. He had left Tramore in the month of October, and was struck soon after with a severe illness, of which he died. Miss Anthony attended him in his last moments. She was the sentinel whom filial love had set to keep watch over agony, at the very time that she is represented as having been engaged in the horrible sacrifice of the holiest instincts of maternal nature to the artificial impulses of sexual shame. The hand that you are told was laying its deadly pressure upon the respiration of her child, was chafing the burning temples of her

expiring father. She held his head upon the bosom which is represented to have been teeming with a guilty aliment; she was wiping the foam away from his livid lips; and as the last moments of mortality drew near, when he became incapable of utterance, she explained the asking but half-extinguished eye, and repeating the orisons of the dying, in the fulfilment of her angelic functions, became his interpreter with Heaven.

"Gentlemen, this young lady has the strongest claims upon your sympathy. Reputation is to her of incalculable value. No woman ever had a higher title to the compassion of the generous and the good. I will not even make an exception in favour of that pure and noble lady, the daughter of the illustrious man who has transmitted to his children, as an inheritance, the large measure of popular favour which his great services to Ireland have received. The public mind is still under the influence of the profound indignation excited by the detestable slander which was cast upon the chaste and the amiable woman, whose lofty station and unblemished life could not raise her beyond the reach of a base and factious calumny. But is it for the great and the exalted that your commiseration should be reserved? Are the titled and the opulent, who are encompassed with all the pomp of fashion, and who have many bars upon their patrician gates against affliction, and many alleviations of calamity when it intrudes into their gilded abodes, to engross all your sympathy? Do you think that the tears which trickled down the face of that eminent lady, for whom every arm is lifted, ran more rapidly and more warmly than those streams of anguish which fell from the eyes of one far more humble, but not less pure? Do you think that the heart of my

client was wrung with pangs of inferior poignancy, and that her bosom heaved with less agony, when she fell upon her knees, and asked of Almighty God, to whom she flew for refuge, what she had done to deserve a calamity like this? Believe me, that she felt her misfortunes as profoundly, and that she is as well entitled to your manly commiseration, as if she had been born upon the pinnacles of fortune and the summits of the world.

"I appeal to a principle which is drawn from the divine ethics of that religion, of which the Founder was not only the herald of immortal truth from Heaven, but the celestial legislator of the feelings, and the legislator of the heart. Make the case your own; and in forming an estimate of the injury which has been sustained by the plaintiff and her family, let every one of you inquire of himself how he would feel if his own child were charged with all this infamy, and were to fall, upon hearing it, senseless into his arms? But, alas! I am not borne out by any affinity to this case in the comparison which I have suggested to you. I am not justified in the hypothesis with which I have ventured to send you to your own homes in quest of a just standard of appreciation. My client is without a father. He lies in that profound asylum in which neither joy nor sorrow can ever reach him—

——— wrapp'd in everlasting sleep,
He neither hears her sigh, nor sees her weep.

She is an orphan;—and yet not so—she is not altogether destitute of parental sympathy, when you will adopt her injuries and make her wrongs your own. . Fathers, brothers, husbands, gentlemen, and men of honour, will

you not take part with this inoffensive, innocent, fatherless, and most unhappy girl!"

The statement being concluded, the letters were proved. Captain Rutland was examined, and by his personal appearance, which was of the finest order of fine forms, offered some kind of justification for the vehement feelings which he had excited. He completely exculpated Miss Anthony. The counsel for the defendant admitted that the entire libel was destitute of foundation, but attributed it to mental delusion. The plaintiff was not able to show that Miss E—— was worth more than five hundred pounds, for which the jury found a verdict; and thus ended a trial which went a great way to prove "furens quid fœmina possit."

Kilkenny.—In the Criminal Court, a conviction of three men for the murder of a man of the name of Devereux, afforded an illustration of the moral condition of the peasantry, and one of the instances in which murder is at last overtaken by a slow but certain retribution. Devereux took a few acres of land from which the prisoners at the bar had been ejected. It was resolved that he should die; sentence having been pronounced upon him by the secret tribunal, which Captain Rock has established for the redress of wrongs, which are not only not cognizable, but are produced in the imagination of the lower orders by the law. Devereux was aware that his head had been devoted. He never slept out of the town of Callan, which was at three miles distance from the farm, and always walked with arms about him.

However, the ministers of agrarian vengeance were not to be frustrated. A day was fixed for his immolation. The whole country was apprised of it. As he

was walking in the broad light in his fields, one of his labourers engaged him in conversation, and at the corner of a hedge three men rushed on him, when his companion pinioned his elbows behind his back, in order to prevent him from drawing the pistol which he endeavoured to grasp, and, beating his forehead in, left him dead upon the ground. The whole scene was observed by a woman, who was aware that the murder was to be perpetrated, and went out for the purpose of seeing the spectacle. She was induced, by the reward offered by Government, to give information, on which the executioners of Devereux were hanged. Devereux was himself a bad and bloody man, and at the trial it was stated by one of the witnesses for the prosecution that he had, many years before, committed murder. The question was not pursued, and whom he had murdered I did not at the moment learn.

Upon the day appointed for the punishment of the men who had taken his own life away, I left Kilkenny for Clonmel. It was a bright and cheerful day. The very breathing of the air under a cloudless sky, and in a delightful temperature, seemed to intimate the value of existence, and gave to the consciousness of a light and unburthened vitality a great charm. It was a day which should scarce have been selected for the ministry of death. As I advanced, I observed crowds of people assembling in various directions, and climbing upon hedges, where women and girls as well as men, were seen straining upon tiptoe, in order to catch a glimpse of some object by which they seemed to be singularly attracted. On looking towards the gaol, I perceived in the rope which was depending from the pulley to which it was attached, and in the rest of the apparatus of jus-

tice, the motives of this intense curiosity. The murderers of Devereux were about to die. I saw the door of the prison leading to the stage on which they were to perform a part that appeared to be likely to engage the sympathies of the spectators, open, and presently the iron balcony was occupied by the figures of the doomed and of the executioner. This was sufficient for the gratification of any love of this kind of excitation which I may happen to possess, and turning from the frightful spectacle, I desired the driver, who obeyed the orders with some reluctance, to push on.

We were soon out of sight of this painful scene. I fell into conversation with the postilion, who was continually turning back to catch a parting view of the catastrophe: and from him I learned, what I afterwards inquired about and found his statement confirmed, that Devereux, upwards of twenty-five years before, had imbrued his hands in blood. He had joined in the conspiracy of the unfortunate Robert Emmet. The insurgents rushed into Thomas-street, and advanced towards the Castle, scattering dismay before them. They met a carriage, which they stopped. Some of the crowd exclaimed, "It is Lord Norbury!" That instant the door of the carriage was burst open, and, while the unhappy gentleman inside it exclaimed, "No! I am your friend, Lord Kilwarden," the hand of Devereux drove a pike through his heart.

Clonmel.—This ancient city takes its name from the appellation by which, in the language of the country, the valley in which it is situate was once known. It means, in Irish, "the vale of honey;" and the beauty and fertility of the landscape which offers itself to the eye on approaching the town, justify the sweetest designa-

tion which the Gaelic could supply. Cromwell, who was a good judge of that kind of picturesque which the "vale of honey" supplies, gave his corroborative and fatal attestation to this figurative name. From the brow of a hill, that forms one of the steps to the summits of the fine mountain of Slievenamaun, just above the ancient castellated residence of the Ormond family, the soldier paused at the head of his devout and rapacious veterans, and stretching out his truncheoned hand towards the deep Suir, that rolled through fields teeming with fertility, and towards those beautiful acclivities in which all the loveliness and the plenty of a new land of Canaan were disclosed, he exclaimed: "This is a country worth fighting for!"

That the people of such a country are worthy of being carried to the highest point of civilization by the descendants of its conquerors, is a sentiment which suggests itself to me whenever I pass the dark and deep ravine of Glenmaur, which opens upon a prospect on which a student of the graphic and of the agricultural arts would repose with equal delight. It was evening when I last entered this splendid tract, which is as much distinguished by the richness of its soil, as by the noble scenery with which it is encompassed.* A person addicted in the least degree to the contemplation of Nature in her finest forms, could not have failed to look with a deep pleasure upon the wide expanse into which

* Spenser, who painted the enduring beauties of Ireland in verse, as he did her transitory evils in his no less admirable prose, has immortalized both town and river—

"—— the gentle Shuir that making way
By sweet Clonmel adorns rich Waterford."

Faery Queen.

so much of the beautiful, the useful, and the grand, is crowded into an assemblage of splendid circumstance.

I gazed with an admiration which habit had rather augmented than impaired, upon the river, advancing in mazes of broad and shining water to its harbour, where it conveys, by a prompt current, the products of a country laden with all the wealth of prosperous cultivation; the deep woods of Coolnamuc and of Gurteen, rising out of lofty cliffs, and surmounted by still higher and grander elevations; the blue mountains of Waterford and of Comara, which appear to have been cast by some frolic spirit who watched over the convulsions of the globe, in peculiarly fantastic forms; the huge limbs of Slievenamaun throwing, from a forest of pines, a massive shadow half-way over the landscape; the glittering encampment of golden clouds, through which the sun was setting over the distant and gigantic Galtees; the undulating ridges, heaved out of the earth, that overhang Clonmel itself, and exhibit the efforts which agriculture is every day making to climb to their summits, in the patchwork of verdure and corn, that intrudes upon their lone and heathy summits.

I entered the town with my mind filled with the images and reflections which this series of enchanting objects had produced; but my reveries did not long continue, for, as the carriage rolled beside the barracks, in which a strong garrison is maintained, I heard a loud and discordant howling from a number of barefooted and ragged boys, who were running with long sheets of printed paper streaming from their hands, while they exclaimed, with a prophetic, but unintended veracity: "Here's a list of all the prisoners who are to be tried and found guilty at the Assizes of the County

of Tipperary." Whatever pleasing relics of meditation had been allowed to remain by the shrill screaming of these heralds of justice, who were thus busy in announcing her terrible approach, were effectually dissipated by the purchase of one of the documents which furnished the matter of their clamorous announcement; and looking over the miscellany of atrocities which was detailed in the frightful catalogue, I could not help contrasting the loveliness of the scene through which I had been passing, with the hideousness of the moral spectacle, of which I anticipated that I should be a witness during the assizes.

The trial of five brothers, whose names were Wallace, for the murder of Arthur Graham, the husband of their sister, laid a great hold on my attention. Arthur Graham excited the jealousy of his wife by his attentions to a girl much younger and handsomer than herself, Miss Winny Fahy. Among the instances which were given in evidence to show his partiality for Winny, (the abbreviation of Winifred), it was proved by a wood-ranger that Graham had surreptitiously cut down a tree, and that his object was to provide means for "the edication" of his pretty mistress, whom he was desirous of having instructed in the accomplishment of reading. This tree of knowledge bore him very bitter fruits. The charge and defence were made in the presence of one of his brothers-in-law; and urged on, as it was supposed, by his wife, to avenge her wrongs, they resolved that Graham should die. He was found dead near his house with evident marks of strangulation. It appeared from traces on the ground, that he had been dragged, with a rope round his neck, through several fields, and that his head had, as he was hauled

along in this horrible process of lengthened suffocation, struck against stones, which were dabbled with his blood.

When the barbarous business had been completed, and his murderers had glutted their hatred to satiety, they threw his corpse, with the eyes starting from their sockets, and with the tongue lolling from the expanded mouth, into a ditch, where he was next day discovered. It was justly observed by an old beldam, the mother of his assassins, that it would have been much wiser not to have indulged in the luxury of a procrastinated execution, and that if they had tucked him up to a tree, and left him hanging, it would have been supposed that he had committed suicide. This judicious, but tardy remark, was communicated to one of her sons in a whisper at his fire-side, where they sat together over the expiring embers, and were going over the incidents of the execution. "Oh, then, honey," said the hoary mother, "how did you do his job for him?"

The son imagined that his answer would be heard by no other than the associate in his sanguinary proceedings; but there was another ear open to the sounds. It was remarked by a peasant boy, who was tending cattle, that while the wake of Arthur Graham was going on, there was a light shining at the windows of his brother-in-law's cottage. His curiosity was awakened. He crept to the door, and overheard the revealments in which the son and mother beguiled the tedium of midnight together. His evidence was most material, so far as it affected one of the prisoners. The principal witness against them was a child eight years of age, whose testimony seemed to have been prepared by that Providence by which the murderer is so often

entangled in his own snares. It may be said that the assassins were hanged by the very rope with which they strangled their sister's husband. They had assembled together before they set out upon their dreadful exploit, in a house that adjoined one in which a child of about eight years of age chanced to reside. This child, who had great sprightliness and vivacity, went into the cabin of the Wallaces to play, and, going towards a hen-roost, took up a rope which depended from it, on which there was a noose. He began to amuse himself with it, on which one of the prisoners at the bar, in a rough tone, desired him to desist. He then left the house. His uncle subsequently ordered him to put up a horse in an adjoining field where there was a quarry. He had advanced to the edge of the quarry, and looking down, beheld the five brothers together, two of whom were holding the rope, at either end, and arranging the noose. "Is it slaughtering ye're going?" said the boy. Strange state of things when the first idea that offers itself to a child, on seeing five men together, is associated with blood! "Bring out Pat Hayes (the boy's uncle), and we'll soon slaughter him; but you'd better be off," was the reply.

The only farther conversation which he overheard, was relative to the propriety of one of the brothers changing his dress. The boy was cross-examined by Mr. Hatchell, with all his accustomed caution and astuteness (qualities which he most happily unites), but he could not be shaken. A child is the most formidable of all witnesses. Those most versed in criminal courts almost give a case over the moment a child appears. Their testimony is so distinct, so direct, so

minute, and at the same time so clear, and the frankness of their manner is so persuasive and so natural a concomitant of truth, that every question that is put to them gives corroboration to their statement. The boy, on being interrogated as to all that he did on that occasion, gave a history of a wicked gander, of which he was afraid, and which he fought with a little switch. This dropped out quite unexpectedly; and afterwards another witness, favourable to the prisoners, confirmed every word which the boy had told of his encounter with the gander at the door of the prisoners' house.

Four of the brothers were convicted, there being a slight circumstance which saved the fifth, who was not identified with perfect accuracy. But if he was allowed to survive, it was to behold a frightful domestic scene. The County Infirmary is at Cashel, about nine miles from the place of execution. The four brothers, who were convicted, having been hanged, their bodies were sent to Cashel for dissection, pursuant to that part of the sentence which is more dreaded than death. The surgeon's knife excites more horror than the hangman's cord. The four corpses were placed on the same cart, and bound together in a pile, which, as the vehicle rolled rapidly off, was seen to heave and toss from the motion, as if some relics of life and animation were in it. An arm would sometimes be shaken from its position, and sometimes a head was seen to depend from the side of the cart, with the throat marked with the compressing circle which had squeezed vitality away. If the fifth brother was guilty, this sight must have been a sufficient punishment.

There was another case of mercenary assassination, which even in Clonmel excited dismay. It may be

told in three words. A man of about thirty, and a lad of sixteen, were hired, for the sum of thirty shillings, to kill a person obnoxious to their employer. This bargain is a model in the economy of murder. They had never seen the individual whom they were paid to slay. At noon they entered a field where there were several people at work, and having inquired for their victim, they proceeded towards him with perfect deliberation, and blew out his brains.—"A long day, my Lord!" cried the elder assassin, with a sort of scream, as he swung himself back, and, repeating the words of supplication, reiterated his moan, while he closed his eyes and wrung his hands. "Villain!" I could not help muttering to myself; "you gave but a short day to the wretch whose blood you took at your Iscariot valuation."

The reader may be shocked at these details. I was weary, as well as appalled, with beholding them; and about a fortnight after the assizes had commenced, "having supped full of horrors," I left the Court-house, and proceeded to a reading-room of the main street, which has been chiefly established by the Quakers of Clonmel, of whom there is an abundance in that bustling and money-making town. Strangers are, by the courtesy of "the Friends," allowed to read the public journals, which were chiefly of a strong constitutional cast. Having taken my seat amongst a set of sober, but rosy-faced, sleek-cheeked, and broad-brimmed personages, whose portly bearing and glossy pinguescence would have satisfied me that they belonged to a sect, the fanaticism of whose creed serves only to bring into antithetical relief the sagacity of their practice, without the occasional "thee and thou," with

which their demure politeness was besprinkled.—"Perhaps thee would like to read the 'Evening Mail?'" —"I thank you, Sir; I prefer the 'Post.'"—"Thee would like to read an article in the 'Standard,' on Mr. Peel?"—"I should rather look into the 'Times,' upon the benefits of Emancipation."—We have not got the 'Times,'" says a sly Quaker, who had been just reading a paper which gave him a look of liquorish roguery; "but thee may have the 'Age,'" as he handed over the pious repertory with an aspect of subdued derision.

I felt that sort of tingling at the fingers which a man experiences when he gets into his hands a journal which he is determined to treat with the philosophy of Sir Fretful, when my attention was attracted by an exceedingly gentleman-like and demi-Protestant-looking sort of Quaker, who was at the other end of the room, narrating an attack which had been made upon three Englishmen at what he called his factory at Portlaw. I knew him at once to be David Malcolmson, who has established the immense and incalculably beneficial manufactory at the place, in the county of Waterford, which he had just mentioned; and being exceedingly anxious to form an acquaintance with a man who is accumulating wealth while he is diffusing happiness and industry about him, I approached the circle of respectful auditors, who were listening with deferential attention to a man of so much sense and of so much gold.

He was stating, that three Englishmen belonging to his factory had been attacked by a body of the peasantry; but he acquitted the persons in his own employment; and while he lamented it, he said that

his horror of having anything to do with courts of justice was such that he should not prosecute, and he was sure that the people would soon acquire a wiser and a better way of thinking. I was struck with his good sense, and fell into conversation with him. Perceiving that I was anxious to learn some details respecting his great establishment, he told me that I could see a miniature of it in Clonmel, where he had recently introduced a factory of calicoes, and which was hard by. He offered, with great urbanity, to accompany me to it. I gladly availed myself of it, and we proceeded to a large white building which stands immediately on the banks of the river, and where I heard the rattling of the shuttle as I approached the temple of industry, accompanied by the author of all the good, of which I already received intimations from the rapidity with which I heard some hundred looms going through the operations. I entered under the roof, where I soon beheld the evidences of all the good which a single wise and benevolent man is able to accomplish.

What a change from the scene which I had just been witnessing at the Court-house! A vast, immense apartment, lined with looms on either side, was occupied by a crowd of little blooming girls, who with the most animated cheerfulness, and with a happy gaiety, with health ruddy in their faces, and with their hands and naked feet plying the respective machines over which they presided, exhibited what, in the midst of such a town as Clonmel, would be looked upon by the coldest of observers as a delightful scene. The incessant play of their limbs, as they busied through their work; the creaking of the looms; the rapid evolutions of the

shuttle; their perfect cleanliness, which is peremptorily enjoined (each girl being obliged to comb and wash herself every morning); the freshness of the air which came breathing in from the river through the opened windows, that afforded glimpses of beautiful scenery; the whiteness of the walls, without a speck upon them; and the air of hilarity that was diffused over the whole assemblage of what were to me new objects, gave me a deep and unmixed satisfaction.

If I were to single out the feature in the scene by which I was chiefly struck, it was David Malcolmson himself. As he passed along, there was none of that base adulation which Irish superiors are too much in the habit of exacting from those to whom they give bread. The girls looked at him with glances of thankfulness, but still went on uninterruptedly with their occupations. He evidently felt that best of all luxuries, the consciousness of being the creator of felicity.

I could not refrain from telling him so, and expressing my own admiration of all that I saw about me. "Thee," he answered, "sees nothing comparable to what I have done at Portlaw; but in order to save these little girls from the wretched fate to which their poverty had doomed them, I have snatched them out of garrets and of cellars, and placed them here." With that, he led me through several other divisions of the factory, which, to the height of several stories, contained a series of apartments dedicated to the same purposes. As we walked along, I took occasion to inquire into some particulars respecting his larger establishment at Portlaw. He had laid out upwards of sixty thousand pounds upon it. There are upwards

of thirty-two thousand pieces made in each week. At least one thousand persons derive subsistence and good habits from it. Originally, he employed Englishmen; but he found that the Irish, on being properly instructed, were just as expert. The English had intermarried with the families in the vicinity, and a perfectly good understanding prevailed, which had never been deviated from, except in the instance alluded to in the morning. The strictest morality was preserved, it being a rule to dismiss every girl who was guilty of the slightest impropriety. Drunkenness had been banished; and a school had been established, where no sectarian animosities, no quarrels about the Bible, were allowed to prevail. Here all the children of the factory were instructed in reading, writing, and the elements of arithmetic, and no sort of interference with their religion was attempted.

All this detail I elicited from my friend David, to whom I addressed a great variety of questions, which forced him into some expatiation upon himself. He was evidently gratified by the honest applause which he had won from me, and offered to lead me from his factory to his mill. It is situate at the other end of the town, near an old bridge, and occupies a very considerable space. It is, I believe, the finest in Ireland. I felt dizzy at the play of the machinery, that, turned by a broad torrent obtained from the Suir, which rolls upon its enormous wheels, went on with its gigantic labours. Here half the harvest of the adjacent counties, as well as of Tipperary, is powdered under the huge mill-stones that I saw wheeling with incalculable rapidity, and is thence poured into the London markets. Honest David showed me, with some touch of

the pride of wealth, this great concern. We ascended flight after flight of stairs to a vast height. On reaching one of the loftiest stages of the building, I saw a young man shovelling the flour with his own hands into a large tube, and covered with its particles. "That is my son," said David; "he will teach others, by having first practised his business himself."

We ascended to the top. Here, through an aperture in the wall, which was destined for the admission of air, there was an enchanting prospect of the Suir winding through its romantic valley. David expressed himself with admiration of the grandeur of the scene. It struck me, however, that the Quaker's eye, instead of travelling over the remote reaches which led the vision into the far-off recesses of the Galtee mountains, was looking directly down. "Is it not a beautiful river?" he exclaimed: "Has thee ever seen so fine a river?" and all the while he was looking at nothing but the mill-race below. "The Suir," I answered, "is a second Pactolus to you, and, I perceive, it is rolling in golden waves over your wheel." The Quaker smiled.

We descended, and in our progress down, I observed a man working very assiduously in driving holes through a sheet of lead. His countenance struck me as peculiar; and, noting that I had observed him, the Quaker told me that he was deaf and dumb, but that there was one of the millers who could converse with him by signs. The dragoman was called; and I put various questions, which were conveyed and answered with signs, and I received most satisfactory replies. The deaf and dumb man, I was told, remembered with singular minuteness all that he had ever seen, and was a great politician. In order to put his recollection to the test, I desired

the interpreter to ask him if he remembered the Rebellion? After some gesticulation by the former, the dummy started up, and began to writhe his face into grimaces, in which agony and horror were expressed, while he twisted his back, and quivered in every limb, as if he were enduring torture; and while with one hand he touched his shoulders, that mimicked convulsive suffering, with the other he imitated the gesture of a man who was inflicting a flagellation. "That," said the interpreter, "represents Sir Thomas Judkin Fitzgerald."*

This exhibition was too much associated with the scenes from which I had escaped when I left the Court-house; and leaving the part of Sir Thomas to be enacted by the deaf and dumb man in my absence, I descended. David Malcolmson was so well satisfied by the impression which he had made on me by his factory and his mill, that he suggested I might find a walk to his house, which is situated outside Clonmel, an agreeable one. We proceeded there. The plantations and shrubberies were exceedingly-well laid out, except that there was a touch of citizenship in some of the ornaments. When he showed me "his ruin," which consisted of a pile of rocks raised into the shape of a tower, I was at once reminded of Mr. Stirling. We sat down together in a grotto made of shells, and of all sorts of rarities which could be collected in the vicinity, and which were brought together in a very incongruous assortment. A piece of stone, that looked like the profile of an old woman, seemed to be greatly prized by him. I was not very sorry to lead him from a discus-

* An Irish gentleman, notorious for having united in 1798 the functions of magistrate and executioner.

sion on the fine arts, to which I found that he was approaching, and I said: "Bye-the-bye, Mr. Malcolmson, I just recollect it—was not Lord Anglesey at your manufactory at Portlaw?" This brought him back, where he was at home. He was excited as much as a Quaker can be by the question, and starting up, broke into a lavish panegyric upon the late Lord-Lieutenant. I availed myself of his ecstacy to effect my retreat from the grotto.

As we walked towards the house; David expatiated in the tones and in the phrases of a genuine admiration upon the chivalrous and lofty-minded Marquis. The latter had gone through his whole factory; had inspected every minute arrangement; and finding a proof in what this most meritorious and intelligent person had effected, by the unaided force of his own enterprising spirit, of what might be accomplished in other parts of the country, he had declared David Malcolmson to be, what he unquestionably is—a benefactor of Ireland. Discoursing upon the merits of Lord Anglesey, who had succeeded in producing enthusiasm even in the mind of a Quaker, who generally reserves his emotions for the other world, and his calm common sense for this, we reached the house. Notwithstanding all its elaborate plainness, I everywhere observed the lurking indications of luxury, which was only thinly veiled by an ostentatious simplicity. An ancient lady, robed in the richest silks, which were, however, cut out after the fashion of her sect, rose to receive me. I should willingly have tarried longer, but I recollected that it was necessary to return to Court, in order to attend the trial of the Borisokane Police.

As I took my leave, the worthy Quaker begged of me

to accept a present. He took from the shelf of a book-case a book, entitled "The Doctrines of Friends, or Principles of the Christian Religion," written by Elisha Bates; and published in the state of Ohio, in America. He wished, he said, to disabuse me of some vulgar notions respecting the religious tenets of Quakers. Accepting the work with thanks, I assured him that I should never be disposed to quarrel with the opinions of a man in whose life the genuine spirit of Christian benevolence was so powerfully exemplified. I passed rapidly through his grounds, and after a few minutes, found myself in the centre of the Court-house, where the Solicitor-General was laying down the law of murder; while Father Spain, sitting at the table immediately opposite, was leaning with his chin upon his hand, and fixing his black Andalusian eye upon him.

POLITICAL SKETCHES.

STATE OF PARTIES IN DUBLIN.

[JANUARY, 1823.]

YOU express your astonishment at the proceedings which have taken place in the Irish Metropolis, and ask me for a detail of what I have seen and felt amidst this incoherent and distracted people, who are so widely removed from our English habits of action and of thought, as to excite that sort of curiosity which attends an investigation of the manners of a remote and outlandish race.*

* This and the two following papers give a lively though desultory account of the broils and discords that prevailed in Ireland, after the pacificatory visit of George the Fourth, and during the early part of the administration of the celebrated Marquis of Wellesley. "Munster will be soon up," says Captain Rock in his *Memoirs*, "the Lords Justices have gone down to tranquillize it." Lord Wellesley had the best abilities, and the best intentions, but the "Pacata Hibernia" was not destined to be the work of his viceroyalty. The case was much too bad for the weak remedies he was provided with. His government, too, was divided, like everything else in the country. He was controlled himself by Mr. Goulburn; and Mr. Plunket, as Attorney-General, had Mr. Joy, as Solicitor, to balance him. This was too feeble a machinery to preserve order; an orange toast, or the fluttering of an orange ribbon, was sufficient to throw everything into confusion.

Dublin, as the seat of government, was, of course, the head-quarters of anarchy. The political comedy of *All in the Wrong* was acted there, not, however, without some deplorable scenes interspersed. The most eminent personages played their parts, while, as usual in seditious times,

Ireland is indeed, a kind of Terra del Fuego—the country of fire and passion, and almost at the extremity of the political world. I landed in Dublin shortly after the departure of the King. The factious feelings, which had been restrained by his presence, did not, for a little time after his valedictory admonition, resume their undisguised and stormy force. They stood in awe before their sovereign, and were checked by his rebuke. It had been well if the promoters of division had not been merely censured, but chastised. The King paused at the "*Quos ego*," and directed less of his attention to the task of retribution than of peace. The vehement spirits retreated for an interval to their recesses. However indignant, they limited the expression of their anger to the walls of their Common Council. They were imprisoned, but grumbled round their den "*magno cum murmure montis.*" When, however, they were relieved from the abashment which the presence of Majesty had inspired, the Æolus of this boisterous party impelled the ancient missiles over the boundaries within which their ferocity had been confined, and let them loose upon the community.

"The glorious and immortal memory" was flung by the Lord Mayor from the civic throne against the barrier of decorum, by which the tempestuous fury of the Corporators had been reluctantly restrained. The insulting commemoration was hailed by the Orange faction with a sort of barbarous joy. Alderman James was accounted the regenerator of sound principle, and raised into an importance to which neither his station nor his wealth gave him any legitimate claim. Such

the most worthless characters of the day, tipsy aldermen, fanatical parsons, and dull pamphleteers, rose into momentary consequence in the general hurly-burly.

is the miserable condition of this province that sheriffs and lord mayors are lifted into political consequence, and almost participate in the government of the country. The violation of the royal precept was considered as an achievement: a sort of chivalry was discovered by the Orangemen of Dublin in the offence which was offered at their orgies by the bacchanalians of the Common Council; and the opprobrious celebration of the disasters of their country was received by them as a pledge of the unendangered continuance of their old immunities of insult.

Their pride however, suddenly moulted its feathers, when the appointment of Lord Wellesley as Lord Lieutenant of Ireland, in room of the nobleman who had given countenance to this wanton contumely, was announced.* The intelligence produced dismay among the Orange faction, and a feeling of proportionate gratification in the great body of the people. Yet upon the entrance of Lord Wellesley into the city, a circumstance occurred which excited a general surprise. The Lord Mayor advanced to receive him in compliance with a mere customary form. It was anticipated that he would meet with anything but a demonstration of favour. Judge, then, of the general astonishment, when the man who had given the obnoxious toast, was selected as the primary object of the viceregal partialities. Alderman James was touched with the talismanic sword, and started into "Sir Kingston."

In making him a Baronet, I doubt not but Lord Wellesley imagined that he might conciliate the party to which he belonged. Yet the Marquis was sensible of the anomaly of his conduct, and cast upon his native air the blame of this inconsistent act. He said that he

* Lord Wellesley succeeded Earl Talbot.

had committed a blunder, and a convenient gentleman took a portion of its discredit to himself. Mr. Blake, his lordship's intimate friend, attributed the mistake to his own inadvertence. "Sir Kingston," he intimated, resolutely rejected the inglorious notoriety of a knighthood, and demanded a Baronetcy as the only remuneration which was at all adequate to his services. "In the hurry of the moment," said Mr. Blake, "I could not avoid gratifying his vanity; and my noble friend, at my instance, threw the thing away." By this expedient, a double object was secured by Mr. Blake—he relieved his patron from an embarrassment, and signified his own influence to the public.

The history of this shrewd and ingenious gentleman is not a little singular, and affords an example of the felicitous combination of sagacity and good fortune, which is necessary to elevate a man so suddenly, from a comparatively inferior condition to the enjoyment of consequence and power. He is, I have been informed by his friends, the younger son of a respectable family belonging to the county of Galway, with fully as many ancestors in their genealogy as acres in their estate. An ensigncy in the militia was his first grade in the ladder of success. His mind was active, and, although without the advantage of regular service in the line, he soon acquired so much skill and knowledge as to become adjutant to the regiment. The troops committed to his raw instructions were soon distinguished by their superiority over the rest of these pacific levies. Upon the exchange of militias, Mr. Blake went to England, and, with the accustomed good luck of his countrymen, formed a useful and happy matrimonial alliance. He was urged by his new connexions, and impelled by a consciousness of his abilities, to go to the Bar.

He was well aware (for he not only possesses a knowledge of others, but the rarer science of knowing himself) that he had few of the qualifications necessary to distinguish himself as an advocate, and chose the less brilliant, but more certain path of equity pleading.

Having studied mankind, as well as law, he speedily obtained employment. Professing the Roman Catholic religion, he engaged in the transactions of the London board of noblemen and gentlemen of that persuasion, who are associated for the attainment of their civil rights. In this body he soon gained an ascendancy. He was greatly superior in address to the devout patricians, whose noble blood had been so regularly interchanged among each other, from the pious and aristocratic fear of contaminating their faith in their descent, that it had meandered for centuries through a few virtuous and highly titled families, undisturbed by any violent infusion of vulgar intellect, and unsullied by a single intermixture of heterodox love. Circulating through the same channels, it began to stagnate at last. In an assembly so constituted, it was not unnatural that this intrepid barrister should speedily obtain a considerable sway. He became intimate with the chief Catholics of England, and was employed by them, in his professional capacity, in the management of their affairs. In effectuating various arrangements with their creditors, he displayed so much practical dexterity that his financial reputation was gradually diffused among the nobility, and through the medium of these useful accomplishments he was introduced to Lord Wellesley. Mr. Blake ingratiated himself into his favour, and was soon intrusted with his bosom thoughts. These circumstances, combined with his professional talents, which are consider-

able, accelerated his progress at the Bar. Lord Eldon could not but smile upon the prosperous associate of the nobles of the land; and he rose into full business.

In Ireland, however, little had been heard of him; and when the approaching arrival of Lord Wellesley was announced, the paragraphs in the London papers which mentioned that his Lordship was accompanied by his friend Mr. Blake, and that he had set off from his house to prosecute his journey to this country, excited a general curiosity. It was soon ascertained that he was among the dispensers of fortune. He furnished an early evidence of his influence over the new viceroy, in the instance which I have already specified; and succeeded to a certain extent in allaying the resentment of the people, at the distinction conferred upon the person who had been the first to infringe the injunctions of the King. The marked civilities which were paid him by Mr. Plunket, confirmed the general notion of his importance. The obsequious assiduity with which that learned gentleman courted the favourite of Lord Wellesley, stood in strong contrast with his habitual coldness and reserve. It was understood that Mr. Blake was consulted upon measures and upon men; he was known to be a puller of the wires in the political puppet-show.

Another remarkable proof of his sway with the Lord Lieutenant occurred soon after his arrival: Lord Wellesley was invited by the Corporation to a public dinner. Mr. Blake was, of course, among the guests, and his health was proposed in compliment to the Marquis. The representative of the King started up to return thanks. This excited universal astonishment. Mr. Blake sat beside him, and, interposing between his

friendship and his dignity, superseded his viceregal proxy, and expressed his gratitude himself. I have dwelt upon the merits and good fortune of this prosperous barrister, because the distinction conferred upon him by Lord Wellesley made him a conspicuous feature in the political picture, and because the strength of friendship entertained for him by so illustrious an individual, throws a light upon the character of the latter, as it reflects honour upon the object of his regard.*

Lord Wellesley disclosed other traits of a peculiar mind at the civic banquet. He made many speeches, and in every one of them gave indications of a love for oratorical exhibition. He indulged in encomiastic expatiations upon the achievements of his family, which, in a man of questionable merit would have excited something like a smile, and which, with all his talents, could not fail to produce amongst his most sincere admirers a feeling of mingled surprise and regret. The fire and nobleness of his manner, and the power of his diction, were thrown away upon such an audience. He flung his fine thoughts, like pearls,

* The subsequent career of Mr. Blake in connection with Irish affairs was highly distinguished, and justified the opinion entertained of him by so eminent a statesman as the Marquis of Wellesley. For many years Mr. Blake was an able and indefatigable labourer in the public service; several important local improvements in Ireland are due to his industry and sagacity; but he was chiefly conspicuous in the cause of popular instruction, and as a Commissioner of National Education took a leading part in the administration of the system, and contributed largely to its efficiency and success. He was also a Commissioner of Charitable Donations and Bequests, and a member of the Irish Privy Council. He died somewhat prematurely in 1849, and proved his anxiety for the progress of the National Schools by a munificent legacy in aid of their funds.

upon a porcine herd; while a certain peculiarity of character, and an overweening self-complacency, struck the dullest observer of them all. Of one fact, however, he apprised the assembly, which was not wholly unimportant—namely, that his illustrious relative, the Duke of Wellington, was not ashamed of his country. This disclosure produced a strong concussion of tables, and large libations were offered up in celebration of the newly disclosed patriotism of his Grace. Upon the succeeding day, the orations of the Lord Lieutenant were the subject of general comment. It was admitted that he was a splendid luminary, but it was also observed that he had a rotation upon himself.

There were some, however, who divined much policy in the indulgence of these egotistical propensities. By talking of himself he successfully avoided any treading upon topics which were full of smouldering fire. Whatever may have been his purpose, whether his praises of his family were the pourings-out of natural vanity, or the glossing over and evasion of delicate and dangerous subjects, he escaped for some time any direct collision with the Orange party: and even when Mr. Saurin—the head of that party—was removed from the office of Attorney-general, to make room for Mr. Plunket, Lord Wellesley was not so much the object of their indignation as the successor to their fallen and extinguished cynosure.

This change in the law department was the first measure of a decisive character which distinguished Lord Wellesley's administration. Mr. Plunket was the chief advocate of the Catholics: and his promotion was, in some degree, an intimation of a sentiment in the British cabinet favourable to that body. The High-

Churchmen, however, suppressed their vexation; and when the first levee was held at the Castle, it was attended by both parties. The concourse of Roman Catholics was considerable. Until Lord Wellesley's arrival, they had studiously avoided the gates of the Irish palace. They had been ill-used at court; and Lord Fingall himself, with all his disarming gentleness of demeanour, had been insulted by a cold and repulsive formality, which even his meek spirit could not calmly brook. A fungous trader or two might be seen there exhibiting their daughters in the vulgar sentimentality of a minuet, through which they were conducted by Sir Charles Vernon, with a mixture of official mockery and nonchalance; but, with such exceptions, scarcely a single Roman Catholic debased himself by the unrequited servility of attending the provincial court.

Upon the arrival of Lord Wellesley, however, both parties thronged at his levee, and seemed to vie with each other in the proffer of their emulative respect. He received the different factions with cordiality, and paid particular attention to Mr. O'Connell, who made his first appearance upon this occasion in the character of a courtier. It was said that Lord Wellesley requested his co-operation in his efforts to tranquillize Ireland. The flattery had a momentary operation. The infusion of oil allayed his turbulence for a little while; but Mr. O'Connell was too shrewd to be long deceived. He soon became aware that this was the mere language of courtesy, in the strict etymology of the word. He was never once invited to dine "with his Excellency:" and what was much more important, he, and every other Catholic, perceived that the patronage of the government, instead of being equally and indiscrimi-

nately distributed among the members of both religions, was confined to its former channels, and flowed exclusively among the professors of the opposite creed.

The government of Lord Wellesley did not advance in popularity. The country was desolated by famine and insurgency. The measures adopted for the suppression of both were judicious, but lost nothing in the description which was given of his generalship and benevolence in the despatches which were transmitted to the British cabinet. Ireland was represented as the theatre of regular warfare; and the evolutions of a few regiments of dragoons were recorded with all the minuteness of specification with which an historian would have commemorated the events of an illustrious campaign. Lord Wellesley appeared to have mistaken Captain Rock for Tippoo Saib. The pigstics of Ballynamuck were transmuted, in his visions of military renown, into the battlements of Seringapatam. A horde of savages, maddened by hunger, were magnified into Mahratta myriads; and their inglorious slaughter was swelled, with "bombast circumstance," into rivalry with the viceroy's Oriental triumphs.

The fact was, that Lord Wellesley was fitted for a greater theatre, and was like a fine actor in a village, who wastes the same energy of genius upon the wretchedness of a contracted scene, which he had before displayed upon a wider and more exalted stage. The mock rebellion was easily repressed, and the exigencies of the peasantry were gradually removed by the generosity of the English nation, aided by the summer sun, whose glorious bounty it resembled. The political surface was not agitated by any strong collision of parties, and the machinery of government went on in noiseless

regularity through the stagnation of the public mind. The Orangemen were restored to a perfect security that the system had only nominally changed; and the liberal party, habituated as they were to disappointment, sunk back into the quiet of despair.

As, however, the 12th of July approached, a revived solicitude arose respecting the steps which would be adopted by Lord Wellesley with regard to the commemoration of the national dishonour, in which the Orangemen were in the habit of indulging upon that day, with the annexation of every irritating circumstance that their perverse ingenuity could devise. It was asked: "Will Lord Wellesley tolerate this insult? Will he permit the re-enactment of the annual outrage, and shew us by proof, what we had before been only taught by conjecture, that his mission is a mere delusion, and that he will now throw away the very forms of that conciliatory purpose for which we were told that he was sent amongst us?" The Orangemen, on the other hand, looked forward with an equal anxiety to the result, as they considered the investment of their idol in his symbolic trappings, the irrefragable test of their authority.*

On the day immediately previous to that of this factious celebration, Mr. O'Connell addressed a letter to Lord Wellesley, couched in phrases of affected respect, but insinuating a suspicion of his sincerity, and an anticipation of the recurrence of the insult, with the connivance, if not with the actual sanction, of the Irish

* It was the usage in those days to deck the equestrian statue of King William in College Green with orange and blue ribbons, the colours of the house of Nassau. The majority of the Protestant decorators had no very clear idea whether they were tricking out William the Dutchman or William the Norman.

Council. This letter attracted general notice. It was said to have galled Lord Wellesley, and threw him into a practical dilemma. If he prevented the dressing of the statue by the forcible exercise of his authority, it would be said that he had been terrified into energy by the leading demagogue of Ireland; and if he did not interfere, the popular feeling would be fired into additional exasperation, by the previous excitement produced by the passionate appeal of the Catholic barrister.

I am inclined to think that Mr. O'Connell foresaw these consequences when he addressed the viceroy, and retaliated upon him for the hollowness of his professions. To himself, Lord Wellesley endeavoured to escape from this embarrassing condition, by employing the influence of government to induce the Orangemen by gentle remonstrance to discontinue the offensive practice; and at his instance, Master Ellis and Sir Abraham Bradley King exerted themselves in the Orange lodges to persuade their associates to comply with the desire of the Lord-Lieutenant. But the Orangemen rejected the proposition with disdain, and in the morning the statue stood arrayed with more than its usual tawdriness of decoration.

The popular party were aghast. The Orangemen exulted with an increased ferocity of triumph; and the mutual animosity of both was proportionably augmented. The political rancour created by these unhappy causes hardly needed the interposition of a churchman, to lift it to an overflowing height. Doctor Magee had been raised to the archiepiscopal see, through the patronage of his college friend, Mr. Plunket. He had, when a fellow of the University of Dublin, been distinguished by the liberality of his sentiments, which

put him into strong contrast with that learned body. His book on the Atonement was indeed embittered by a good deal of the *odium theologicum*, but allowance was made for the almost unavoidable necessity of seasoning so unpalatable a topic with the stimulants of invective. It was supposed, that as soon as he had obtained the archiepiscopal throne, he would revert to his former opinions, and, having no farther objects of ambition to prosecute, would profess the sentiments which a peculiarity of situation had induced him to suppress.

But the public little understood the real character of this successful prelate, in supposing that he would limit his aspirations to a provincial see. He had risen from a sizarship in the University to this singular elevation, in which another would have reposed. But in the Alpine progress of such a mind (if I may use the expression) new and more glittering heights arose at every step in his ascent; and York and Canterbury gleamed on him in their holy loftiness, the moment he had reached the exalted station which opened a wider and more heavenly horizon to his views. Lord Sidmouth was understood to have said, when he attended the King to Dublin, that during all his intercourse with political life, he had never seen a man of a more ambitious temperament than this pious divine, and that he had realized all that he had imagined of the political passion in its most exclusive and engrossing force.*

Just after his promotion, he exhibited a most fantastic

* "L'appetit vient en mangeant," said the celebrated Amyot, when he solicited the Bishopric of Auxerre from Henry III. of France, who had not long before given him a fair Abbey. It was the same with Doctor Magee. The see of Dublin only gave him a stomach for the Primacy.

aspect. There was a mixture of Wolsey and Doctor Syntax about him. Great talents seemed to be combined in a strange confederacy with the pedantry of the college. I should proceed in my description of this person, but that it would lead me beyond my limits; and I must reserve him for a future delineation. This humble successor of the first propagators of Christianity contributed, in the effervescent state of the public mind, to swell its fermentation. He delivered an address to his clergy, which contained an invective against the creed of six millions of his fellow-subjects; and lest his satire should not adhere where it was directed, it was barbed with an antithesis. The Dissenters, he said, had a religion without a church, and the Papists had a church without a religion.*

This single phrase threw the Catholic clergy into a paroxysm of indignation; and pamphlet upon pamphlet was volleyed from the theological press at the head of the mitred heretic. The Catholic Bishop of Carlow, Doctor Doyle, was the ablest among the many antagonists who entered the briary field of controversy against the Protestant prelate. The effects upon the two parties were fatal to the restoration of public amity between them. The streets were placarded with religious tracts, and all the monstrosities of sectarian hate were exhibited in every corner of the city. The Harlot of Babylon was carted, upon one hand, in all her scarlet gorgeousness and impurity; and hell was opened, with all its flames, for the misbelieving heretic upon the other. It was impossible to pass through the most sequestered lane without being stunned with reciprocal denunciations of

* Doctor Magee is a favourite subject with Mr. Sheil. See the *Exorcism of a Divine*, &c.

the devil. You were assailed by clamorous boys in every quarter, who importuned you with their shrill cries to purchase their twopenny confutations.

In the midst of this confusion, two personages of great polemical renown precipitated themselves among the combatants, and the fight was suspended by all others to witness their matchless prowess. Doctors Magee and Doyle fell into insignificance in the shock between Sir Harcourt Lees and the Reverend Mr. Hayes, the worthy representatives of the ferocious factions to which they respectively belonged, and whose achievements surpass the most glorious feats of the heroes of the Lutrin. The former is a parson, who had been long notorious as an eminent lover of the chase, and had recently become a sort of Nimrod in controversy, and hunted down the unfortunate Papists through the dens and forests of their obscure and bewildering creed. Father Hayes averred in the pulpit that he had witnessed an exorcism in Rome (from which he had himself been just exorcised by the Pope), and that Beelzebub had been vomited by a young lady of fifteen in the shape of a brass button. These were his claims to the public credit. Sir Harcourt saw an assassin in every Papist, and imagined that his valuable life was the great stay of the established church, and the object of universal conspiracy in Ireland. His fancy was bespattered with blood, and, as he was vain of his powers of authorship, the visions of his religious malady acquired new horror in their transmission from his brain to paper. The better class of both religions laughed at these champions of orthodoxy; but, unhappily, the lower orders were inflamed by their insane malevolence. They infected ignorant readers with the distemper of the head and heart under which they reciprocally laboured.

The public mind was in this unhappy condition when the fourth of November arrived. This is one of the days on which the statue of William is dressed; and, to the astonishment of Dublin, in place of being attired with its Orange memorials, it was surrounded by a body of troops, who effectually prevented all access to the obnoxious emblem. Its forlorn idolators beheld it from a distance, with a heavy heart, unadorned by a single ribbon, and reft of the gaudy pageantry with which it was wont to be festooned. Lord Wellesley had recovered the energy of his character. His mind had started from its oblivion of what was due to the country and to himself. Disabused of all idle hope of being able to tame the hyena, he resolved to inclose it in its den. The measure to which he resorted was advised by Mr. Plunket, and approved of by the British Cabinet. But Lord Chancellor Manners, and the ex-attorney-general, Mr. Saurin, (the Gog and Magog of the Orange party,) declared the step to be illegal. Emboldened by such an alliance, the faction converted their murmurs to invective. Meanwhile Lord Wellesley rose rapidly in the favour of the people; and, taking advantage of the popular sentiment, for the first time went publicly to the theatre. You are already aware of the outrage which was perpetrated within its walls.* The details of this atrocity have been so minutely set out in the evidence laid before the public, that it would be superfluous to recapitulate it. A generous indignation at the

* The outrage went by the name of the "Bottle Rebellion," because a bottle was flung from the galleries at the Lord-Lieutenant, or at least at the box where he sat. It would have been wiser on the part of the Government had they been contented with the expression of the public resentment, and restrained their own. But a state-prosecution was resolved on; and what should have been dealt with as merely a disgraceful riot was exalted into something approaching the dignity of high treason.

Orange crime pervaded the great mass of the Irish public; and although in a few instances the sheriffs of counties endeavoured to thwart its expression, it burst out from all parts of the country.

In Dublin the most respectable meeting which I ever saw convened in Ireland addressed Lord Wellesley in the language of unsophisticated regard. He was so much gratified by the friendship of his countrymen, that he resolved to receive the address in public, and the gates of the Castle were thrown open to the citizens of Dublin. Great numbers went in court-dresses, but access was given to every person of decent appearance who thought proper to approach him. I entered with the crowd. Two o'clock was the hour appointed for presenting of the address, but the Lord Lieutenant did not arrive until four, from his country residence in the Phœnix Park. The tedium of expectation was relieved by an abundant supply of Hock and Madeira, which was distributed indiscriminately among the somewhat motley assembly. To many the taste of either beverage was attended with the delight of novelty, and their patriotism was not a little exhilarated by the liberality of their potations. The copiousness of their draughts was attended with the natural results, and the liquid brightness of eye, and warm suffusion of cheek, bore attestation to the presence of the rosy god. It was pleasant to observe the wonder with which the worthy citizens surveyed the abode of viceregal majesty, and the air of fidgetty importance with which they endeavoured to assume the manners and demeanour of the practised courtiers, who eyed them with a glance of ineffable disdain.

I stood beside a huge man of commerce, whose purse

and person were said to be correspondent to each other, and perceived that he was endeavouring to imitate the deportment of Sir Charles Vernon, the master of the ceremonies at the Castle. The latter became aware of his purpose, and in the spirit of whim, which has since proved fatal to his fortunes, threw himself into a variety of antic attitudes, which were copied with ludicrous fidelity by the honest gentleman, who had unfortunately selected the court-jester as his prototype. The frolic was soon felt by the group about them, and produced much merriment at the expense of the innocent person who followed his model through every evolution of grimace.

My attention was drawn from this piece of practical humour by a figure not less preposterous. A student of Trinity College, dressed in the costume of the University, had drunk of the Court nectar to intoxication, and began to declaim in broken Latin with a barbarous volubility. He speedily attracted the general notice, and was accompanied from room to room by a troop of mockers, who urged him on in his career of visionary disputation (for he imagined himself to be engaged in some scholastic controversy) by the repetition of some of the jargon of Murray's Logic. At length he fastened upon the Archbishop of Dublin, who was rocking himself with an hierarchical swing through St. Patrick's Hall, and threw down the gauntlet to that ingenious divine. Doctor Magee did not at all relish the proposal, and endeavoured to escape from him; but the relentless logician pursued the doctor with a torrent of strange gibberish, until he was compelled to apply to one of the beef-eaters to interpose between him and this inveterate disciple of the Stagyrite.

At length Lord Wellesley arrived with all his suite, and his appearance was full of imposing effect. The day was advanced into evening, and little of its beams broke through the windows of the lofty and expansive room in which a great concourse had assembled. The crimson curtains of the throne, which had been raised for the king during his visit, were illuminated by broad and brilliant lights, and threw a rich and gorgeous tone over the scene. The splendid dresses of the persons in immediate waiting upon the Lord Lieutenant, filled the depth of the background with gold and silver, and before him stood a vast and breathless mass of men which reached to the opposite extremity of the hall. Lord Wellesley was before the throne, and, while the Lord Mayor read the address, I had full opportunity to observe him.

With a person almost diminutive, he had, notwithstanding, a most dignified deportment. I never saw a finer head. It realized the "beau ideal" of all that I had previously conceived requisite for the physiognomy of a statesman. His fixed and illuminated eyes—his lofty and vaulted forehead, sprinkled with a few white hairs—his bold and commanding mouth, and the aspiring and eagle-like expression of soul which pervaded his countenance, struck me with admiration. I had heard that his body had been wasted by time and pleasure, but he appeared in perfect health and vigour. In place of the emaciation which I had anticipated, and that pale cast of thought which we associate with legislative cares, his face was fresh and almost ruddy. "The pure and eloquent blood spoke in his cheeks." While the address was reading, I could perceive a deep and generous emotion about him, and forgave him at once

for all the egotism which in his printed speeches had startled my sense of propriety, but which was mitigated, if not completely justified, by its companionship with so much nobleness and elevation as were associated with his aspect.

When the Lord Mayor had concluded, there was a long pause, and for some moments Lord Wellesley remained silent. But "his look drew audience." At length his mind broke out in high, piercing, and measured accents, which were fraught with strong and exalted sentiment, and attended with an intenser excitation than I remember ever to have witnessed in a popular assembly. His intonations were perfect: they were not subdued by the cold rules of diplomatic etiquette, but ascended into fine and impassioned oratory. His whole frame seemed agitated and inspired. His person seemed to have lost the pettiness of its dimensions, and to have been heightened by the informing spirit. The enthusiasm which was produced burst through the restraints of strict propriety; and almost every sentence was cheered by repeated acclamation. I feared that this unusual expression of the public feeling would have alarmed his sense of decorum; but, in place of disturbing him in his course, he appeared to derive a new fervour from the cordial applause which he received. In one instance, however, he fell into exaggeration, which, redeemed as it was by his admirable delivery, did not at first surprise his hearers, but was afterwards observed upon. He said that he had attained such a high pitch of happiness, that he could scarcely hope for the recurrence of so much felicity; and that "if the poniard were lifted against his bosom, he would bid the assassin strike."

This somewhat melodramatic sentiment was delivered very much in the manner of Kean, and both in conception and enunciation certainly savoured of the Boulevards. But, altogether, the speech, with a few of such imperfections, was a piece of noble, and, I believe, of sincere eloquence. The meeting dispersed with an unqualified feeling of admiration for the nobleman who had given so fine an utterance to his generous sentiments, and expressed so genuine and so rare an affection for his country. Lord Wellesley's reply added to the exasperation of the Orange party; and the events which succeeded raised it to its height.

The grand jury, composed in a great degree of affiliated Orangemen, threw out the bills of indictment tendered by the Crown against the perpetrators of the outrage at the Theatre. Mr. Plunket announced his resolution to proceed by *ex officio* information; and a day was appointed for a trial at bar. The most anxious suspense awaited its arrival. A deep pulsation throbbed through the city. The ordinary occupations of life appeared to be laid aside in the agitating expectation of the event which was to set a seal upon the future government of Ireland. It engrossed the thoughts and tongues of men, and exercised a painful monopoly of all their hopes and anticipations. At length the day of trial appeared amidst the heaviness of a grey and sombre morning. It was announced beforehand, that the judges would take their seats precisely at nine o'clock; the doors of the court to be opened at half-past seven. The earliness of the hour, immaterial as it may seem, had the effect of throwing society out of

its ordinary habits. Whiskey-punch and early rising are sworn foes. The citizens of Dublin are much fonder of putting on their nightcaps than their morning dress at cock-crowing. But on this occasion all accustomed comforts were nobly sacrificed. Politicians of every class and mind,—corporators, beef-eaters, Catholic, Orange, liberal and radical,—all bravely started up at half-past six to exchange the soothing glories of a tipsy dream for the raw encounter of the cold realities of a winter morning.

I reached the hall of the Four Courts about eight o'clock, but had the mortification to find that I was too late. The Orangemen, true to their principle of making a push on every occasion for the Protestant ascendancy, were in the field before me. As soon as the doors were opened, one tremendous rush filled in an instant the galleries and every avenue of the court. However, I remembered the Irish saying, that with patience and perseverance, a man may open an oyster with a rolling-pin. I acted upon this doctrine, and by dint of shoving and insinuation, contrived, after a full hour's hard work, to attain a place in one of the dark side-lobbies of the court, from which, by standing on tiptoe, I could catch a view of what was going on within. Even this I could achieve only through one small aperture; and the effect was as if I had been looking at some gorgeous spectacle through the eye-hole of a rareeshow-box. The proceedings had not yet commenced, and I had time to examine in detail the silent scene.

There was not a murmur in the court; but the first glance at the auditory would have satisfied you that deep passions were working there, and could not long

be hushed. The signs of this were most apparent in the galleries. You saw it in the scowling brows of the Orange partisans—and few else were there;—in the compressed lip—in the roll of ferocious confidence with which their eyes went round the scene that reminded them of their strength—in the glare of factious recognition with which they greeted the accused, and assured them of a triumph. My eye next rested upon the crowded benches of the bar. They, too, betrayed a consciousness of being themselves upon their trial. Instead of the legal *nonchalance* with which they usually await the coming-on of the most important cause, they now presented a series of countenances quivering with political resentment. Of all the classes in the community, this body had felt perhaps the most intensely the late determination to control the pretensions of the Protestant ascendancy; for with them all prescriptive privileges had been most complete and undisputed.

It was easy to trace their emotions in their looks—in the fixed and deadly sneer—in the flush of haughty indignation—in the impassioned gestures, with which, in whispers among themselves, they arraigned the whole proceeding, and foretold the disasters it would bring upon the land. The sentiment of alarm and exasperation extended to many who had heretofore been regarded by others, and by themselves, as free from the taint of party; but in the heat of the times, their countenances (like their native marble when brought near the fire) had broken out in spots and stains, which had hitherto lain concealed beneath the surface. As I looked round upon this scene of prejudice and anger,

the first question that pressed upon me was, whether the present was an occasion upon which impartial justice could be expected;—whether in such an audience a jury could be found (for the panel was dispersed through the galleries) who could shake off the passions of even that single morning, and remember nothing but the evidence and their oaths. I could not venture to pronounce in the affirmative.

Still it was quite refreshing to perceive, that in despite of every obstacle that faction could interpose, the cause of justice had one great and certain stay. When I turned to the bench and witnessed the steadfast and cheerful dignity of the judges, I felt assured that in that quarter the public interests were secure. The appearance, and the respective characters of the men, forced this cheering conviction upon the mind, There was Bushe, pledged by his whole life against the cause of religious persecution, and too strong and proud to be panic-struck. Burton, a gift to Ireland, from a country where law is sacred—cautious, sagacious, and enlightened—vigorous and independent at all times, and "best when provoked." Jebb and Vandeleur —gentle and efficient in the discharge of their ordinary functions—as yet untried upon any great occasion, but sure to be firm and upright upon an emergency.

It seems fated that in this tragi-comic nation, however a public proceeding may terminate, it should not pass away without many a hearty laugh. In the present instance, the business of the day opened with a joke. Mr. Plunket rose "to call the attention of the court to a matter of some importance:"—a dead silence

prevailed. The Attorney-General proceeded with much gravity to state, "that he had been anxiously waiting the arrival of his colleagues, the Solicitor-General and Mr. Serjeant Lefroy; and that, after a long search for them in all directions, it had been just discovered that they were both in one of the avenues of the court, firmly wedged in among the populace, with a prospect of immediate suffocation, unless their lordships should be pleased to interfere in their behalf!" The political tenets of the two learned sufferers were well known; and the most bigoted Orangeman in the galleries could not refrain from a loud giggle at the notion of two such personages writhing under the horrors of a popular embrace. The Chief Justice contrived to draw the veil of judicial gravity over the rising smile, while he gave the necessary orders; and Mr. Sheriff Thorpe, with the most heroical alertness, rushed out of court, breathing from his looks the determination to employ all the powers vested in his Lilliputian person by the constitution, to rescue his friends from so novel a situation. He soon returned triumphantly, producing the two learned bodies in proof of what his civil prowess could achieve; and the proceedings of the day were no longer deferred.

The proceedings of this singular trial are now before the public; I take it for granted you have read them —if you have not, they are far too voluminous for me to detail; nor will my limits permit me to offer anything in the way of minute criticism upon the specimens of Irish oratory elicited upon this occasion. Mr. Plunket's speech was on a level with his subject, but scarcely with himself. The Solicitor-General's was

tame and technical: he felt too much sympathy with Orange principles, and he openly avowed them, to prove a formidable denouncer of Orange excesses.* Mr. North's address was the most applauded; but had I space, I should hardly think it fair to forestall the ingenious author of the Bar Sketches, by whom Mr. North's admirers expect to see him presented, ere long, in vivid colours to the public.†

By the way, it was whispered about, during the present trial, that this forensic portrait painter, respecting whom much grave conjecture has been afloat here, was actually in attendance; and no other than a lady of rank—Lady R—— (*not* the Dowager of the name, who was resuscitated at eighty-six to give evidence upon this trial, and who looked like Erichtho, filled with the re-animating spirit of faction.) The fair reporteress daily occupied a prominent situation in the gallery, where her Scotch physiognomy was contrasted with the Cromwellian visages that glared about her. She held a silver pen, that was pressed occasionally against her lips, while her eyes gleamed with the most intense anxiety for the fate of the prisoners, with whom she seemed to participate in emotion; and the instant the least circumstance was mentioned at all favourable to them, her white hand darted to the paper before her, on which

* The Solicitor-General was Mr. Joy, whose portrait Mr. Sheil has drawn at full length in another place. He has there also given a minute account of Mr. Joy's speech in the case of the Orange rioters.

† A sketch of Mr. North appeared subsequently from the pen of Mr. William Henry Curran. The lady alluded to in the next sentence as the suspected "forensic portrait painter" was the Lady Rossmore of the day.

she scrawled, with an agitating velocity, for a moment, and then assumed her attitude of restless vigilance again. This "recording angel," the only person of her sex in the gallery, pressed and jammed collaterally, and *a posteriore,* by the incumbent mass of low Orangemen among whom she was stowed, struck me as one of the most singular features in this strange and fantastic scene.

The final result of the trial was what many had anticipated; and under the peculiar circumstances of this distracted province, it was perhaps the most fortunate that could have occurred. The Orangemen fondly counted upon a verdict of acquittal to the last. Their sympathy never flagged for an instant. During each succeeding day of the proceedings they were the first to fill the court; and the space outside was regularly occupied by a phalanx of them in close columns, where they remained from nine to six, insensible of fatigue, with outstretched necks, to catch a rumour of what was going on within; and communing in muttered curses with each other, as often as the report was wafted to them, that the profane hand of the Attorney-General was farther withdrawing the veil which had heretofore enveloped the sublime mysteries of their association. But I feel that I have exceeded the boundaries which I had prescribed to myself, and must postpone to some future letter, the detail of the events which took place subsequent to the trial, and which are now passing before my eyes. The Dublin election—the chairing—the conflict between the College and the mob—the Beef-steak Club—the Chancellor and Sir Charles Vernon, will furnish materials for my next communication.

It is probable that further subjects will in the interval start up. The dragon's teeth will never cease to spring from this prolific soil—and every hour will add to the abundance of the disastrous harvest.

STATE OF PARTIES IN DUBLIN.

[MARCH, 1823.]

MY last letter concluded with the trial of the Orange rioters. While the public mind was agitated by the forensic contest, a new and more abundant source of bitterness was unsealed. The death of Mr. Hans Hamilton (of whom I know nothing, except that I have seen him read his speeches from his hat) occasioned a vacancy in the representation of the county of Dublin. Sir Compton Domville, who always voted against the Catholics, was persuaded to leave the retirement of private life for the silent tranquillity of which he seems to be eminently fitted, and upon the strength of the Orange party, backed with twenty thousand pounds a-year, to offer himself as an appropriate successor, which he certainly was calculated to be, to the "late lamented member." Circumstances appeared to have combined for his success. The Catholic interest which centered among the middlemen, had seemingly been annihilated by the peace, and Protestant ascendancy was seised in

fee-simple of the whole county. The political epidemic, which had broken out like a moral typhus, raged through all classes, and almost every landed proprietor had caught the infection. Calculating upon the entire subserviency of their tenantry, the gentry of the county entered into an apparently invincible combination in favour of Sir Compton, who started as the champion of Orangeism. The certainty of a triumph produced a premature intoxication, and the anticipated election of Sir Compton was held out as a test of their supremacy as unequivocal as if he were already seated in the House.

This preposterous vaunt wounded the pride of the opposite party to the quick, and Mr. Luke Whyte was not slow to perceive that the moment had at last arrived for the achievement of the darling object of his ambition, in the advancement of his son to the representation of the county. You have not, perhaps, heard of Luke Whyte, but he is well worth a glance, and in this desultory outline, I propose to give you rather a sketch of the individuals engaged in the passing incidents, than a grave and formal detail of the events in which they were involved.

Luke Whyte is in Ireland a person of considerable importance, although in England he would in all likelihood have been almost unknown. So many strange and sudden productions of fortune are thrown up by the rich commercial soil of England, that they seldom attract a very peculiar notice; while in Ireland the means of acquisition are so limited, that the wealth of Luke Whyte is regarded as prodigious. The pouch and paunch of the hugest alderman of Cheapside are not beyond the emulation of the humblest tenant of a

desk, who, in the nibbing of his pen, casts through a dusky window an aspiring glance at the ponderous citizen, and cheered by the golden model, bends with alacrity to his work again; but when the spare figure of Luke Whyte glides like the ghost of Crœsus through College Green, where is the Hibernian shopboy who ever dreamed of compassing his portentous treasures? In truth, the amazing fortune of this singularly prosperous man defeats all conjecture of the means by which it could have been accumulated. Some forty years ago he would have furnished matter for the ecstacies of Mr. Wordsworth. If the profound author of the "Excursion" had seen him in one of the peregrinations incidental to his itinerant profession, he might have derived many valuable hints from so interesting a prototype, and added to the sublime beauties of that admirable poem. Its hero and Mr. Whyte were of the same craft, or, to speak more appropriately both with respect to Mr. Whyte and to Mr. Wordsworth, of the same mystery. To avoid the use of an ignoble word from which the poet has studiously abstained, and express the fact with circumlocutory dignity, Mr. Whyte was no more or less than

A wandering merchant, bent beneath his load.

The latter consisted of books which he carried through various parts of the country; and I have heard old men say that they remember to have seen him with his cargo of portable literature upon his back, toiling upon a blustering day along the road, and driving a hard bargain for Corderey or Cornelius Nepos at the door of a village school. When he had acquired a sufficient sum, through dint of his vagrant industry, to dispense

with the necessity of travelling, he fixed himself in more permanent importance at a stall in a small alley called Crampton-court, and soon afterwards purchased a shop. Book-piracy was at that time legal in Ireland, and the buccaneers of literature drove a profitable trade. Luke Whyte accordingly became a publisher. He next engaged in speculations in the lottery, from the lottery he plunged into the funds, and turned the rebellion to a good account. Further I a munable to retrace his progress to the golden summit on which he stands; but it is enough to say that he is now worth a million of money.

He is largely endowed with good sense; and so far from blushing at the former inferiority of his station, he looks back from his elevation with a sentiment of honourable pride upon the road which has conducted him to such an eminence. It is not a little remarkable that his manners are wholly free from vulgarity, and not only unaffected, but highly polished, and not without a cast of the court. Strongly as he is attached to gold, he is still more fond of power, and never allows his avarice to interfere with his ambition. Previous to the Dublin election he had already secured the representation of the county of Leitrim for himself. He next aimed at putting his son in parliament for Dublin. He had failed on two occasions in a contest with Colonel Talbot, and expended an immense sum of money in the adventure.* The popular feelings had

* Colonel Talbot was afterwards raised to the peerage by the title of Lord Talbot de Malahide. He was a man of sterling worth, public and private, possessing a shrewd knowledge of the world and a taste for the elegancies of literature. The cause of Catholic Emancipation had no more ardent or consistent supporter. He represented the county of Dublin on the popular interest in several parliaments.

been enlisted by Colonel Talbot, and bore down the thousands of his competitor, who now perceived that in opposing Sir Compton Domville, he might marshal the very means upon his side to which his former defeat might have been attributed. Accordingly he proposed his son at the hustings—threw his coffers open, and announced himself the champion of the Papists.

The popish party, seeing the treasures of Luke Whyte unclosed, took heart at the sight, and their leaders formed themselves into a committee for his support. The most efficient amongst the latter was a gentleman of the name of Murphy. His history may be told in three words:—he started in life without a guinea, fled the country in 1798, came back when the troubles were over, engaged in the trade of a salesmaster, and is now worth 10,000*l*. a-year. Mr. Murphy is one of the shrewdest and most energetic men in Dublin. He has been turned into an aristocrat by circumstance, but is by nature a republican, and looks so shrewd, so bold, and dark, that he may be regarded as a kind of *beau ideal* of Captain Rock. He felt a just indignation at the insolence of the ascendancy faction, and embarked with honourable ardour in the cause of Popery and Whyte. With a bag of gold in one hand, and with the cross in the other, Mr. Murphy was irresistible. His eloquence was of a tangible sort, and was immediately felt through the whole county.

The patriotic rhetoric of Mr. O'Connell was blended with the more palpable logic of the great potentate of Smithfield. The great popular orator, not contented with an harangue to the multitude upon the hustings, went a kind of circuit through the chapels upon the sea-coast. Great numbers of the freeholders of Dublin are

fishermen, who, even near the metropolis, exhibit the wildness, and almost the mood, of the tempestuous element from which their livelihood is obtained. They of course had heard of the renowned O'Connell, but the real presence of the orator had never before been presented to them. He addressed them in their native tongue, and infused all the artifice of a long-practised pleader into its rude and barbarous strength. To these efforts the co-operation of the Catholic clergy was united. It was urged as a matter of reproach to them that they interfered; but it was forgotten that every Protestant clergyman in the county was enthusiastically devoted to Sir Compton Domville, with the single and signal exception of Sir Harcourt Lees, who, true to his nature, if not to his opinions, gave his vote to the Popish candidate.

This union of gold, patriotism, and religion, was attended with its legitimate results; nor is it to be much wondered at, and still less perhaps is it to be deplored, that the Irish peasant should, under these combined incentives, have been debauched from that subserviency to his landlord, which in the estimate of every petty squire should be as uncalculating as the allegiance of the ox to the driver who goads him to the stall. So highly wrought was the enthusiasm of the people, that in the space of a few days the opulent, and hitherto absolute proprietors of the county, were left destitute of all influence, and without the power of commanding a single vote. The frieze-coated patriots, who were sent in droves to the election-booths in order to vote for Sir Compton, under the very eye and to the beard of their astounded masters, flourished their shillelahs, and shouted for whisky, religion, and Colonel Whyte.

The scenes exhibited at the hustings were full of ferocious drollery. The moment a freeholder appeared at them, who intimated an intention to support Sir Compton, he was assailed upon all sides with a strange confusion of appeal. A tremendous cry was sent up by the multitude—O'Connell, with a stentorian voice and brandished arms, bade him remember Ireland: Father M'Farland exclaimed: "Will you sell your religion?" while Mr. Murphy, seizing him with his brawny hand, and whispering "five guineas" in his ear, completed the seduction, and set him down in triumph upon the tallies of Colonel Whyte. Vainly did the ominous landlord, a prophet who accomplishes his own predictions, bid him remember the 25th of March—vainly did he foretel the sale of his blanket, the starvation of his children, the howling of his wife, and the freezing of the winter night. Inflamed with patriotism and whisky, and heedless of these portentous auguries, the half-emancipated enthusiast leaped heroically into the gulph. Then rose a peal of acclamation which "frighted Chaos and old Night," or, in plainer speech, astounded Lord Norbury, and appalled the Corporation.

The events of even a Westminster election can give you but little notion of the grotesque character of a Dublin one. I have often been present at an English contest, but never witnessed so fantastic a scene. The native ardour of the national temperament was roused into its wildest excitation—every countenance glowed with passion—every gesture was informed with emotion—every movement was a tumult—and every sound an exclamation. They shouted, cursed, and stamped—their hands were clenched, their eyes were on fire, and their mouths in foam. The whole assembly would have

looked like a great collection of maniacs to some sober English spectator, who, however, in retiring from the uproar, would have been inclined to attribute a still higher degree of delirium to the men who nurture the fatal discords which generate such calamitous results.

It was not alone to the hustings that the visible results of the election were confined. The streets of the city were filled with uproar, and while the Orangemen were rejoicing at their victory in the Four Courts, the Papists were indulging in an equally ferocious exultation at their Kilmainham triumph. At length the friends of Sir Compton advised him to relinquish the field, and Whyte was proclaimed the member for the county, after an expense which none but his father could have sustained. But the collision of party was not destined to terminate with the contest. The populace insisted upon chairing the successful candidate. An enormous mass of people moved through the streets of Dublin with Colonel Whyte at its head. The vast procession extended as far as the eye could reach. The living body rolled like a great tide through the metropolis. No tumult or interruption occurred until the people had reached the gates of the College, and suddenly a large quantity of stones and bricks was flung from the roofs of the building upon the multitude below. Several severe wounds were inflicted in the performance of this academic exploit. The mob, infuriated at the unprovoked aggression, burst through the iron railing which divides the area before the College from the street, and seized upon certain unhappy loiterers, who would probably have been sacrificed to their fury, had not some of the more respectable persons in the crowd interfered for their preservation. This circumstance may appear

trivial in itself, but it was one of the many symptoms of the inveterate detestation which was rapidly growing up, and has been since matured between the two parties in Ireland.

I pass from the election to the Beef-steak Club—singular transition!—and yet it scarcely illustrates the art of sinking. Whatever bathos may be in its title, the Beef-steak Club is not without importance in a country where the most momentous results originate from the obscurest source. This society was established in Dublin by a Mr. M'Caskey. The love of music was the ostensible object of the association, but the rites of Apollo were speedily blended with the adoration of a more exhilarating god. These fanatics in music soon exhibited an enthusiasm of a very oposite kind:—as was natural in Ireland, the professors of harmony became the propagators of discord. A few years ago the political feelings of the club were manifested in rather a remarkable way. A nobleman, so distinguished at the Kilkenny theatricals for the fidelity of his representations in the parts of ostlers and of grooms, that it was supposed that Nature and Fortune must have quarrelled at his nativity, proposed from the chair of this society, in the midst of one of its boisterous orgies, a toast, the malice of which can only be surpassed by its absurdity. It ran to this effect—"The Pope in the pillory, pelted by the Devil with the heads of priests," together with other concomitants, which I shall not soil the paper by inditing.

Of this society the Lord Chancellor is a zealous and conspicuous member. This nobleman is the creature of impulse, and having been educated in England in high-church principles, and surrounded upon his arrival

in Ireland with the menials of the Castle, derived an unhappy confirmation in his impassioned biasses, from those whose interest it was to bring forth the seeds of Orangeism which had been originally deposited in his mind. His ardent temperament abandoned itself entirely to their seductions, and he became the chief and avowed protector of the anti-Irish party in Ireland. He is by nature and by habit an inveterate Tory; and, indeed, has so strong a cast of the Stuart family, with which he is connected, and is withal so spare and spectral, that he looks like the phantom of the departed dynasty. Upon his qualifications to fill his high judicial situation, it would be foreign to my purpose to pronounce; it is enough to say, that he is an unqualified supporter of Protestant prerogative; that he has a horror of "Popery and wooden shoes," and that, while he discards the miracles of Prince Hohenloe, he would not, for the Chancellorship of Great Britain, sit down at dinner with a party of thirteen. The meetings of the Beef-steak Club being free from this numerical omen, Lord Manners readily consented to join their political festivities at a moment when the spirit of faction raged with the utmost intensity, and virtually presided at one of the Orange feasts, which was held in the midst of all the uproar of party which I have just described.

How far his association with the proselytes of Mr. M'Caskey may be consistent with the dignity of the house of Rutland and the keeper of the seals, I shall not venture to decide; but it did certainly appear not a little singular that a man having so large a share in the government of the country, and an influence almost co-extensive with that of Lord Wellesley himself, should in such a crisis have descended to a

convivial familiarity with the political zealots who frequented this obnoxious club; and should by his presence have extended an implied approbation to the principles and feelings which they unequivocally expressed. A very numerous assembly of the subscribers was convened; champagne and claret circulated with rapidity, and when the votaries of Apollo had been roused to the just level of enthusiasm, the chairman proposed as a toast "The exports of Ireland." The rumours which had previously prevailed of the contemplated removal of Lord Wellesley, suggested to every person present that the toast was given in allusion to that measure, and it was hailed accordingly with votive acclamation.

There is a passage in the letters of Lord Essex, written when he was Lord Lieutenant of Ireland, so immediately appropriate to the state of Protestant feeling at this moment, that I cannot forbear from transcribing it. It falls, indeed, into a very remarkable coincidence with the situation of Lord Wellesley. Lord Essex, in page 35 of the volume of his letters, says: "The reports which every day are transmitted hither from England of my remove, is the principal cause of their stubbornness; and, indeed, it is a misfortune to His Majesty's affairs that such rumours are spread, for I do not believe that under the sun there are a people more apt to despise their governors than some here are, and will, if they have any imagination that they are to be recalled."

This sentiment, which appears to be almost indigenous in Ireland, was illustrated at the period of which I am speaking; and when "The exports of Ireland" was given as a toast from the chair of the Beef-steak Club,

it was loudly and rapturously cheered by those who found in the toast an occasion for venting their gratification at the anticipated exportation of the noble Marquis, which was more strenuously desired by the Orangemen than his demi-measures and oscillating policy appeared to justify. There could be no doubt that it was intended to apply to Lord Wellesley, although the Chancellor afterwards stated, in his own defence, that it admitted of a different interpretation. If the question of construction had been regularly discussed in his Lordship's court, it would in all probability have afforded a field for the exercise of much ingenious ratiocination: but in the public mind no doubt existed as to the intent of the parties.

The anger of the noble Marquis at this immediately personal affront, was said to be unbounded. The vice-regal irritation was speedily embodied in a measure of domestic and summary retribution. Three ill-starred officers of the Castle happened to have attended at the obnoxious club, when the anti-Wellesley toast was given. I have forgotten the name of one of them, which has nothing to fix it in the memory. Sir Charles Vernon, the gentleman-usher, and the *ex-officio* fan-holder to the "Ladies Lieutenant" (we are now happily relieved from these mock and mob-led queens*), and Mr. Stanhope, the brother-in-law of the Duke of Leinster, were the other unhappy wights who had the misfortune to attest these symbolical expressions of dislike. On the following day they were dismissed. This proceeding produced a singular sensation. Fami-

* This was written before the Marquis of Wellesley's marriage. The citizens of Dublin still persist in giving the style and title of Lady Lieutenant to the wives of their beloved viceroys.

liarized as the Orangemen were with the tameness of the administration, they were astounded at what appeared to be so bold and adventurous a step. Those who held no place were loud in their invectives against the autocratic character of the Marquis's resentment. They forgot, or rather they affected not to remember, that under the constitutional administration of the Duke of Richmond, the brother of the very Mr. Stanhope (who was now discharged) had been deprived of the very same office, for attending a dinner given by the Roman Catholics of Dublin, at which nothing offensive had taken place. Such are the incongruities of faction.

This expulsion of three placemen produced upon their brethren in office a different effect. While those who had nothing to lose were loud in their reprobation, the underlings of authority—the petty tenants of office —the menials of the Custom House and the Post Office, stood silent and aghast. The name of Lord Wellesley, which had before been a standing jest, and furnished matter for relaxation among the clerks in every public office in Dublin, was no longer pronounced in those abodes of alternate insolence and subserviency. There prevailed over those domiciles of inferior Orangeism "a death-like silence and a dread repose." Nor was this sentiment confined to the humble dandies of the quill. It extended itself even to the parasitical expectants at the Bar; and the birds of prey, whose vulture sagacity had long scented the demise of some paralytic chairman of a county, or of some apoplectic Master in Chancery, moulted many a feather. It was supposed that farther dismissals would take place, and the apprehension produced a dismal taciturnity for a considerable time.

But at length the countenances of the Williamites began to clear up—they resumed the use of the organ of invective, and were gradually restored to the enjoyment of that factious loquacity which serves to exhilarate the labours of the fiscal desk. They saw that Lord Wellesley had indulged in a just resentment of an individual affront, but that his indignation was not tinged by any political vindictiveness; and relied upon the evidence of impunity afforded in the example of a gentleman who had been engaged in the theatrical riot, and who continued to hold and still enjoys many lucrative situations, from which the Government did not dare to remove him.* The passions which had been repressed by a temporary barrier, burst through it with an augmented force. The imperfect effort at independence made by the Irish Government was designated as an act of Oriental autocracy, and the fate of Sir Charles Vernon afforded an ample field for reprobatory exclamation. He had acquired the liking of the ordinary frequenters of the Castle, and possessed all the talents requisite for his vocation. The motley personage, who charmed the melancholy Jaques in the forest of Ardennes, could not surpass him in his adaptation to his office; and so wide and genuine was his popularity amongst a certain class, that it might have been aptly said upon his dismissal,

——— Mimæ, balatrones—hoc genus omne
Mœstum ac solicitum est.

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* The forbearance of Lord Wellesley's administration is remarkable. The instance above mentioned deserves notice, but a circumstance which recently occurred is still more singular. Lord Wellesley lately dined with the Corporation, and among the persons officially employed to preside at the dinner and lead his Lordship into the banquet-room, was one of the chief rioters at the theatre.

The solicitude for the fate of the Dublin Tigellius was not, however, confined to persons of this caste, but reached to nobler bosoms. A certain conspicuous octogenarian dropped tears of rheum upon hearing of his fate, and vowed by her widowhood that she would never enter the Castle again. Lord Manners also expressed an equally unqualified resentment. The natural good-nature of his lordship was moved by Vernon's misfortunes, and he also felt this discharge from the vice-regal service as an indirect rebuke to himself. It was said that his lordship expressed great and loud irritation, and rumours were dispersed that either Lord Wellesley or Lord Manners would leave the country. It is certain that the latter wrote letters of bitter complaint to the heads of his own family and to the leaders of the high-church party in England.

I have heard from good authority that the Duke of Rutland, Lord Lonsdale, and one or two of the other great proprietors in the House of Commons, held a meeting in London, and deliberated upon the means of effecting the removal of Lord Wellesley, but having felt the sense of the Lower House, they abandoned the proposed measure, and determined to compromise the differences between the noble lords. Neither of the latter could afford to indulge in any very practical resentment, and consented to retain their stations upon the pathetic and conclusive plea of Shakspeare's apothecary. Accordingly a fantastic kind of accommodation was effected between them. Poor Sir Charles, however, was not included in this prudential negotiation, and fell gradually into oblivion. The bells upon his cap were no longer heard at the

Castle. His practical jokes, his innocent caricatures, and innocuous buffooneries, were no longer remembered; and what is much more deserving of regret, his domestic virtues were forgotten in the reconciliation of the great contending personages. The latter readily compromised their differences under the salutary influence of reciprocal convenience. The facility of the adjustment excited some surprise; but much greater astonishment was produced by the event which almost immediately succeeded.

The insult offered to Lord Wellesley was marked and unequivocal. So deeply had it penetrated into the very core and vitals of his pride, that he had instantaneously dismissed the dependents upon whom his resentment could be practically exemplified. What, think you, was the issue of the viceregal exasperation? You will start at the bare mention of the fact. The brother of the Duke of Wellington, the conqueror of Tippoo Saib, the moving spirit of the Spanish war—the lofty statesman, the impassioned orator, and the philosophical politician—he who, upon his first arrival in this country, had united the suffrages of the British empire, and seemed to be of all men the best qualified for an undertaking in which sagacity and elevation were to be combined—he, galled and blistered as he was by a wanton and deliberate offence, selected this convocation of wassailers for an especial mark of favour, and, uninvited, announced his intention to dine with the Beef-steak Club.

This communication from the Castle was at first received as an idle rumour. The liberal party exclaimed, "It is impossible! True it is that he made a baronet of the man who was the first to violate the

King's commands; it is true that he shook hands with Alderman Thorpe; it is true that he has flattered, without cajoling the Corporation; and for all this there is, perhaps, an extenuation, if not an excuse: he has been driven by the exigency of circumstances to a thousand acts, from which his principles as a statesman, and his own noble instincts, must have made him shrink. But that he should dine with the Beef-steak Club! the thing's impossible!" With such expressions of indignant incredulity this report was received. Yet it gradually gained ground upon the public disbelief, and at last the day on which these novel festivities were to take place, was formally and authentically proclaimed. The day arrived, and Lord Wellesley sat in the midst of the Orange orgies, by the side of the very man with whom he had just declared that he could no longer act in concert in the government of Ireland.

The triumph of Lord Manners was complete. Even his accustomed urbanity could not prevent him from indulging in some partial expression of superiority. His black eyes glistened with more than their usual fire; a deeper shade of orange was infused into his complexion: his Stuart smile assumed a more lordly courtesy. With the exception of the immediate suite of the Lord Lieutenant, there was scarcely one friend of his in the whole assembly—the tables were lined with men who eyed the noble Marquis with an expression in which hatred appeared to have given way to a less vehement emotion.

The evening passed slowly and heavily away, and in place of the usual bustle and clamorous jocularity which accompany such assemblies, a certain dullness, arising from the consciousness of restraint, prevailed over the meeting. Lord Wellesley affected high spirits, but it

was easy to perceive that he was personating a part, which he felt at last that he ought not to have undertaken. He was not actually insulted to his face, although he took a sudden offence at some phrases of the Lord Chancellor, who, in pronouncing judgment upon the excellence and utility of the Beef-steak Club, congratulated Lord Wellesley upon the opportunity which he enjoyed of relaxing, amidst these recreative convocations, from the rigour and austerity of his political labours. The latter imagined, but I believe erroneously, that something disrespectful was intended, and suddenly started at the banquet at the ghost of his own dignity. The Chancellor assured him that he was under an erroneous impression; and he rested apparently contented with the explanation.

Nothing remarkable occurred until the hour for Lord Wellesley's departure, which was anxiously expected by the company, had arrived. They had entered into a stipulation that "The exports of Ireland" should not be drunk in his presence, and waited for the moment of his departure to indulge in this contumelious toast. At length he signified his intention to retire:—the whole assembly rose—he walked through the files of Orangemen upon each side, and bowed as he passed along. He reached the door, while every glass was filling to the brim; and scarce had he crossed the threshold, when "The exports of Ireland" was given, and received with loud and vivacious acclamations.

The noble Marquis hurried down stairs, with the shouts of laughter, which proceeded from the meeting, ringing in his ears, and returned to the Castle after an effort of conciliation, which, whatever may be thought of it in a political point of view, must be regarded as a

pattern of Christian virtue, in which the precept of forgiveness was carried to a point of perfection that excited as much wonder as admiration. Those who had formed an estimate of his character from his Oriental achievements, expected that his descent in the West would be attended with a scarcely inferior lustre. It was hoped that he would leave behind him a track of illumination which would be long reflected by his country. It is possible that some beam of light may yet break through the dimness in which he is enveloped, but hitherto we have only had occasion to contrast his glory in the East with the clouded setting of his renown.

While these incidents were taking place, the ex-Attorney-general, Mr. Saurin . . . But I have exceeded my limits, and must postpone a detail of the events which were produced by the agency of that once important, and still remarkable person.

END OF VOL. I.



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